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**THESIS**

**THE PURSUIT OF A FAILED U.S. DRUG POLICY IN  
LATIN AMERICA**

by

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December 2015

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**THE PURSUIT OF A FAILED U.S. DRUG POLICY IN LATIN AMERICA**

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## ABSTRACT

This thesis examines why U.S. counterdrug policy in Latin America focuses primarily on the supply side of the drug trade despite the policy's showing minimal effectiveness and in most cases making the region more volatile. To accomplish this objective congressional testimonies pertaining to U.S. drug policy in Latin America were reviewed in an attempt to find what factors influence politicians' policy recommendations. The findings from the congressional testimony reviews revealed that politicians were more inclined to align or disagree with the political party that held the Presidency based on their own party affiliation. Additionally, SOUTHCOM posture statements and the QDR's were examined to see how the military leadership viewed and or argued for funding to stop the supply side of the drug trade in Latin America. Military leaders placed increased importance on the counterdrug mission as it pertained to terrorism and during times of financial uncertainty. To break the cycle of supply-side counterdrug policies in Latin America, politicians and military leadership should focus on domestic demand-side counterdrug policies. Demand-side counterdrug policies have proven effective both in the U.S. and abroad. Overall, they are less costly, both financially and in terms of human lives.

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## TABLE OF CONTENTS

<b>I.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
A.	LITERATURE REVIEW .....	3
B.	POTENTIAL EXPLANATIONS AND HYPOTHESES .....	10
C.	RESEARCH DESIGN .....	11
D.	THESIS OVERVIEW .....	12
<b>II.</b>	<b>BACKGROUND CHAPTER OF U.S. DRUG POLICIES IN LATIN AMERICA .....</b>	<b>13</b>
A.	INITIAL U.S. DRUG POLICIES.....	13
B.	EVOLUTION OF U.S. COUNTERDRUG POLICIES FOLLOWING THE COLD WAR .....	14
C.	THE ANDEAN INITIATIVE.....	15
D.	PLAN COLOMBIA .....	16
E.	CONCLUSION .....	18
<b>III.</b>	<b>CONGRESSIONAL TESTIMONIES: ANALYZING FACTS AND OPINIONS OF U.S. LAWMAKERS OVER THE WAR ON DRUGS .....</b>	<b>21</b>
A.	CONGRESSIONAL TESTIMONIES OF THE 1990S .....	21
B.	ANTI-DRUG DEBATE IN THE NEW MILLENNIUM .....	30
C.	POST-SEPTEMBER 11, 2001 .....	33
D.	CONCLUSION .....	43
<b>IV.</b>	<b>QUADRENNIAL DEFENSE REVIEW AND SOUTHCOM POSTURE STATEMENTS .....</b>	<b>45</b>
A.	1997 QDR.....	45
B.	2001 QDR.....	46
C.	2005 POSTURE STATEMENT.....	47
D.	2006 QDR.....	48
E.	2006 POSTURE STATEMENT.....	49
F.	2008 POSTURE STATEMENT.....	51
G.	2009 POSTURE STATEMENT.....	52
H.	2010 QDR.....	54
I.	2011 POSTURE STATEMENT.....	55
J.	2012 POSTURE STATEMENT.....	57
K.	2013 POSTURE STATEMENT.....	58
L.	2014 QDR.....	59
M.	2014 POSTURE STATEMENT.....	60

<b>N. CONCLUSION .....</b>	<b>61</b>
<b>V. CONCLUSION .....</b>	<b>63</b>
A. THE COST OF INCARCERATION.....	64
B. DECRIMINALIZATION.....	66
C. LEGALIZATION .....	68
D. NEEDLE EXCHANGE PROGRAM.....	69
E. RECOMMENDATION.....	70
<b>LIST OF REFERENCES.....</b>	<b>73</b>
<b>INITIAL DISTRIBUTION LIST .....</b>	<b>79</b>

## LIST OF FIGURES

Figure 1.	1987 Drug Control Budget.....	27
Figure 2.	Proposed 1999 Drug Control Budget.....	28

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## **LIST OF TABLES**

Table 1.	Summary of Literature Review Hypotheses .....	10
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## **LIST OF ACRONYMS AND ABBREVIATIONS**

AOR	Area of Responsibility
ATPA	Andean Trade Preferences Act
DEA	Drug Enforcement Administration
FARC	Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia)
FBI	Federal Bureau of Investigation
GAO	General Accounting Office
NDAA	National Defense Authorization Act
OAS	Organization of American States
ONDCP	Office of National Drug Control Policy
TCO	Transnational Criminal Organizations
QDR	Quadrennial Defense Review
USSOUTHCOM	United States Southern Command
WOLA	Washington Office on Latin America

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## I. INTRODUCTION

Since the early 1990s, U.S. drug policy has focused primarily on the supply side of the illegal drug trade.<sup>1</sup> With regard to Latin America, this approach has meant investing heavily in drug interdiction and crop eradication in the drug producing countries of the region. U.S. policymakers often portray counterdrug policy as successful by highlighting large captures of drug shipments or the eradication of large volumes of coca—the crop that serves as the raw material of cocaine—in an effort to ensure continued funding and political success for incumbents. However, the overall, and obvious, big picture is one of policy failure: despite spending billions of dollars and a great number of man-hours, the U.S. government's supply-side approach has shown little success at discouraging drug users in America from purchasing drugs.<sup>2</sup> Equally important is that U.S. supply-side counterdrug policies have further increased political instability in already volatile Latin American countries by weakening the credibility of democratic institutions and damaging civil- military relations.<sup>3</sup> This thesis questions why, despite having little-to no success in its supply-side approach to the illegal drug trade, does the U.S. continue to pursue these failed drug policies in Latin America?

Until Washington adjusts drug policy from supply side to demand side focus, little progress will be made in combating drugs, and financial and social tensions will continue to expand both domestically and internationally. Understanding why we pursue failed drug policies in Latin America may provide insight into options for policy makers to reverse the destructive trend that has persisted since the 1990s.

Many organizations believe that the U.S. drug war has been a failure. The liberal think tank Washington Office on Latin America (WOLA) has put forth substantial

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<sup>1</sup> Coletta A. Youngers and Eileen Rosin, “The U.S. ‘War on Drugs’: Its Impact in Latin America and the Caribbean,” in *Drugs and Democracy in Latin America: The Impact of U.S. Policy*, ed. Coletta A. Youngers and Eileen Rosin (Boulder: Lynne Rienner Publishers, 2005), 2.

<sup>2</sup> Youngers and Rosin, “Impact in Latin America,” 8.

<sup>3</sup> Enrique Obando, “U.S. Policy towards Peru: At Odds for Twenty Years,” in *Addicted to Failure: U.S. Security Policy in Latin America and the Andean Region*, ed. Brian Loveman (Boulder: Rowman and Littlefield Publishers, 2006), 196.

evidence over the years that the U.S. drug policies to date have been unsuccessful in reaching their original goals; additionally, WOLA's position is that present drug policies have done more harm than good throughout Latin America, for instance by increasing political instability and drawing the region's armed forces into internal security and into politics.<sup>4</sup> WOLA also identifies human rights abuses and the weakening of democratic institutions as a source of damage caused by U.S. drug policies in Latin America.<sup>5</sup> Another think tank, the Woodrow Wilson International Center for Scholars, has published reports on the dangers of pursuing failed drug policies in Latin America. Like WOLA, the Wilson Center has defined the U.S. drug policies in Latin America as a failure with negative collateral damage for the countries in the region.<sup>6</sup> Leaders from Latin American countries have also defined U.S. drug policies in Latin America as a failure. In a 2009 *Wall Street Journal* article, former president of Brazil Fernando Henrique Cardoso, former President of Mexico Ernesto Zedillo, and former President of Colombia César Gaviria outlined the failure of U.S. drug policy in Latin America and proposed alternatives to make it more successful.<sup>7</sup> Additionally, the full outlined report entitled, "Scenarios for the Drug Problem in the Americas: 2013–2015," was released by the OAS.<sup>8</sup>

There will be substantial damage both domestically and internationally if the U.S. continues to pursue failed drug policies in Latin America. Inside the United States, supply-side drug policies are accompanied by significant financial burdens: the estimated cost of these policies has totaled over \$600 billion since they were first implemented, in

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<sup>4</sup> Drug Policy, Washington Office on Latin America, accessed March 9, 2015, [http://www.wola.org/program/drug\\_policy](http://www.wola.org/program/drug_policy).

<sup>5</sup> Ibid.

<sup>6</sup> "Drug Trafficking and Organized Crime in the Americas: Major Trends in the Twenty-First Century," Woodrow Wilson Center Update on the Americas, Woodrow Wilson International Center for Scholars: Latin American Program, last modified August, 2012. <http://www.wilsoncenter.org/sites/default/files/BB%20Final.pdf>.

<sup>7</sup> Fernando Henrique Cardoso, César Gaviria, and Ernesto Zedillo, "The War on Drugs is a Failure," *The Wall Street Journal*, February 23, 2009, <http://www.wsj.com/articles/SB123535114271444981>.

<sup>8</sup> "Scenarios for the Drug Problem in the Americas: 2013–2015," The Organization of American States, accessed March 19, 2015, [http://www.oas.org/documents/eng/press/Scenarios\\_Report.PDF](http://www.oas.org/documents/eng/press/Scenarios_Report.PDF).

the early 1980s.<sup>9</sup> The high spending to combat the supply side of drugs leads to increased taxes and decreases in funding for other programs both domestically and internationally. The persistence of the same drug policies also ignores the health needs of members of U.S. society who are addicted to drugs or affected by close relations with a drug addict. When funding is focused on the supply side of drugs, there is a shortage of financial resources to prevent health problems associated with drug use as well as offer treatment for individuals who suffer from addiction.

As the U.S. government continues to pursue supply-side counterdrug policies, two other risks emerge: the risk for collateral damage to Latin American countries, and potential damage to America's already fragile international reputation. U.S. efforts to motivate Latin American countries to tackle the supply side of the drug trade has led to human rights violations, the weakening of democratic institutions, and increased violence throughout Latin America.<sup>10</sup> By placing U.S. national security interests above other nations' rights to sovereignty and peace, U.S. drug policy in Latin America has damaged Washington's credibility in the region.

#### **A. LITERATURE REVIEW**

This literature review examines several explanations for why the U.S. continues to pursue failed drug policies in Latin America. Prior to exploring the current literature, an understanding of key policy definitions is required. The first two terms are *supply side* and *demand side* with regard to U.S. drug policy. U.S. supply-side drug policy, primarily centered outside the United States, focuses on the source of the drugs; this means drug policy focuses attention on the growers, traffickers, and drug organizations.<sup>11</sup> Demand-side drug policies—largely domestic—focus on reducing drug use by implementing

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<sup>9</sup> John M. Walsh, testimony to Chairman Webb, *U.S. Drug Policy: At What Cost? Moving Beyond the Self-Defeating Supply-Control Fixation*, Joint Economic Committee of the U.S. Congress, June 19, 2008.

<sup>10</sup> Youngers and Rosin, "Impact in Latin America," 10–11.

<sup>11</sup> Brian Loveman, "U.S. Security Policies in Latin America and the Andean Region, 1990–2006," in *Addicted to Failure: U.S. Security Policy in Latin America and the Andean Region*, ed. Brian Loveman (Boulder: Rowman and Littlefield Publishers, 2006), 4.

domestic drug education programs and domestic rehabilitation programs.<sup>12</sup> Also key for this research are the terms *policy termination*, the complete dismemberment of a government dictated policy,<sup>13</sup> and policy adjustment or policy revision, a change to an existing policy made for the purpose of reaching the desired outcome originally outlined.<sup>14</sup>

To explain why American policymakers continue failed drug policies throughout Latin America, scholars such as Eva Bertram and her colleagues have focused on the low extent to which the U.S. public is informed about just how disastrous drug policies have been in achieving their goals. This factor is closely linked to political competition; Eva Bertram and her colleagues write that politicians sustain momentum for aggressive drug policies by portraying drug use as an egregious sin that results in extreme public disorder and danger.<sup>15</sup> Nevertheless, the question of how informed the public is also could stand alone, especially considering the general consensus that the U.S. public is relatively uninterested in foreign policy matters. According to a 2012 survey conducted by the Pew Research Center, 83 percent of American's believed that we should focus more on problems at home than problems abroad.<sup>16</sup> Without proper public education about the damages both abroad and inside the continental United States from these drug policies, many Americans may believe they are supporting a worthy fight. As long as the American public remains uneducated about the consequences of supply side-focused U.S. drug policies, there are no incentives for policy makers to adjust current policies.

Adam Isacson, a Senior Associate for Regional Security Policy at WOLA, believes that some political officials may not have sufficient knowledge about the failures

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<sup>12</sup> Coletta A. Youngers, "The Collateral Damage of the U.S. War on Drugs: Conclusions and Recommendations," in *Drugs and Democracy in Latin America: The Impact of U.S. Policy*, ed. Coletta A. Youngers and Eileen Rosin (Boulder: Lynne Rienner Publishers, 2005), 341.

<sup>13</sup> Renee Scherlen, "The Never-Ending Drug War: Obstacles to Drug War Policy Termination," *Political Science and Politics* 45, no. 1 (2012): 69, Cambridge Journals Online (10.1017/S1049096511001739).

<sup>14</sup> Scherlen, "Drug War Policy Termination," 68.

<sup>15</sup> Eva Bertram, *Drug War Politics*, 258.

<sup>16</sup> "Section 7: Values about Foreign Policy and Terrorism," *Partisan Polarization Surges in Bush, Obama Years*, Pew Research Center, June 4, 2012, <http://www.people-press.org/2012/06/04/section-7-values-about-foreign-policy-and-terrorism/>.

associated with current supply-side drug policies. That is, the continued implementation of failed supply-side counterdrug policies may simply be that policymakers are limited in their ability to observe and recognize the policy failures. More specifically, evaluating the effectiveness of U.S. drug policies in Latin America may be difficult for congressional oversight personnel. He writes that when budgets are constrained, there are not enough congressional staffers to properly collect, evaluate, and provide policy change recommendations.<sup>17</sup> The lack of proper personnel support can mean that Congress relies predominantly on information from the military or from civilian U.S. government agencies, rather than from non-governmental institutions that would provide less-biased analyses.<sup>18</sup> In short, congressional staffers tasked with evaluating drug policies in Latin America will default to keeping present policies in place because they lack both the time and resources to propose alternatives.

Renee Scherlen presents another argument that centers on a general uncertainty caused by a change to the current drug policy. In Scherlen's article, "The Never-Ending Drug War: Obstacles to Drug War Policy Termination," the author discusses the role uncertainty around a new approach to drug policies plays in keeping the status quo. Even though supply-side drug policies have been unsuccessful thus far, the risks associated with policy termination could be too much for politicians and for the American public.<sup>19</sup> As of 2009, 35 percent of Americans viewed the drug problem in the United States as extreme, while 33 percent viewed their local drug problem as very serious.<sup>20</sup> There is substantial fear among the American public that a change to current U.S. drug policies could threaten public safety and be both economically and physically costly.<sup>21</sup>

Jonathan P. Caulkins and his colleagues assess the war on drugs in their publication, *How Goes the "War on Drugs"? An Assessment of U.S. Drug Problems and Policies*. Like Scherlen, they conclude that the uncertainty associated with changes to

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<sup>17</sup> Isacson, "U.S. Military," 55.

<sup>18</sup> Isacson, "U.S. Military," 55.

<sup>19</sup> Scherlen, "Drug War Policy Termination," 72.

<sup>20</sup> Scherlen, "Drug War Policy Termination," 71.

<sup>21</sup> Scherlen, "Drug War Policy Termination," 72.

U.S. drug policy weighs heavily on politicians and their constituencies; current policies provide some minimal results of success domestically and therefore persist.<sup>22</sup> This analysis of U.S. drug policy persistence adds that even when people are educated on the lack of success achieved by a supply-side focus to U.S. drug policy in Latin America they are hesitant to change direction. Without an alternative that guarantees success and domestic peace, Americans may prefer the current drug policies. Domestic peace is important to Americans because they do not want drug-related violence to carry over into their communities. As long as policies remain the same, the American public knows the status quo drug violence and addiction in their community will be maintained and not worsen.

Complementing the hypothesis about a poorly educated American public is a set of explanations that focuses on politicians' desire for reelection with no motivation to educate the public about failures of U.S. drug policies in Latin America. One argument places front and center politicians' motivation to seek re-election. Coletta A. Youngers believes that election factors place weight on political strategies executed by politicians; the basic assumption is that politicians back antidrug policies to win votes.<sup>23</sup> She goes on to say that politicians focus on policy success facts like criminal apprehension, crop eradication, and drug trade interdiction; the focus on quantities of drugs destroyed or interdicted is an attempt to garner additional support for the current counterdrug policies and justify renewed or increased funding.<sup>24</sup> Since political constituencies are only presented with some of the facts about supply-side drug policies, they are deceived into thinking that their elected politician support successful counterdrug policies. Adam Isacson adds to this study in his section from Coletta A. Youngers and Eileen Rosin's book *Drugs and Democracy in Latin America: The Impact of U.S. Policies*. He says that politicians continue to steer away from opposing present drug policies because it could

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<sup>22</sup> Jonathan P. Caulkins et al., *How Goes the “War on Drugs”?: An Assessment of U.S. Drug Problems and Policy* (Santa Monica: RAND Corporation, 2005), 27.

<sup>23</sup> Youngers, “Conclusions and Recommendations,” 341.

<sup>24</sup> Youngers, “Conclusions and Recommendations,” 341.

damage their individual reputation and open them up to attack from their political opponents.<sup>25</sup>

A specific example of politicians appealing to their constituencies desires despite their decision differing from their beliefs or historic precedence is former Connecticut senator Christopher Dodd. As a Democratic senator for thirty years, Dodd was a strong opponent of U.S. involvement in Latin America, but the drug problem in the U.S. and his constituencies' fears forced him to take a hard line on attacking drugs at the source.<sup>26</sup> During the drafting of Plan Colombia, Dodd pushed to ensure that Colombia received the most advanced U.S.-manufactured helicopters, the Black Hawk; his support for financial aid and military assistance in Colombia went against his traditional stance, because such a hardline position against drug production mattered to his potential voters.<sup>27</sup>

Another argument, which relates to and overlaps with arguments about individual politicians' drive for re-election, focuses on political party competition and institutionalized commitments within both the Democratic and Republican parties to the status quo is presented by Russell Crandall as well as Eva Bertram and her colleagues. Through the 1990s there was little incentive for either Democrats or Republicans to slow their support for strong supply-side drug policies. In *Drug War Politics: The Price of Denial*, Eva Bertram and her colleagues write that in an effort to win votes, both political groups pushed to continue strict drug policies.<sup>28</sup> In Russell Crandall's book, *The United States and Latin America after the Cold War*, the author highlights that many Americans fear the collateral damage upon their society caused by illegal drugs. Like Eva Bertram and her colleagues, Crandall believes that both political parties are motivated to appear

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<sup>25</sup> Adam Isacson, "The U.S. Military in the War on Drugs," in *Drugs and Democracy in Latin America: The Impact of U.S. Policy*, ed. Coletta A. Youngers and Eileen Rosin (Boulder: Lynne Rienner Publishers, 2005), 54.

<sup>26</sup> Russell Crandall, *The United States and Latin America after the Cold War* (New York: Cambridge University Press, 2008), 93.

<sup>27</sup> Crandall, *Latin America after the Cold War*, 93.

<sup>28</sup> Eva Bertram et al., *Drug War Politics: The Price of Denial* (Berkeley: University of California Press, 1996), 146–147.

tough on drugs in order to guarantee party success.<sup>29</sup> By sticking with strict drug policies, political parties eliminate a factor that could be used against them by an opposition party.

Dana Priest presents a different approach that explains the persistence of supply-side oriented U.S. drug policies focuses on the shared belief that drugs are a matter of national security. Following the end of the Cold War, traditional war between two large militaries seemed unlikely. For the U.S. military to continue to thrive, new national security threats needed to be clearly defined. Potential threats may appear on a smaller scale than all out war, but military leaders and policy makers identified drugs as one source of funding for the new national security threats.<sup>30</sup> In her book, *The Mission: Waging War and Keeping Peace with America's Military*, she examines the evolutionary role that U.S. military leaders and supportive politicians takes in order to guarantee military supremacy, military funding, and organization importance. She specifically examines key military leaders and their role in dictating military involvement in Colombia to combat drugs that provided financial support to insurgencies and terrorist organization. This analysis highlights the bureaucratic nature of the U.S. military, specifically how as a bureaucracy, in the interest of survival, the military has proactively entered the realm of shaping U.S. foreign policy.

In *Addicted to Failure: U.S. Security Policy in Latin America and the Andean Region*, Brian Loveman evaluates the role of U.S. military power in continuing current supply-side drug policies in Latin America. Politicians, policy makers, and the American public are willing to support the ongoing War on Drugs when drug policies are masked as a matter of national security. Since the 1990s, the U.S. military experienced an increased role in combating the supply side of the drug trade.<sup>31</sup> The rising threat of international terrorism over the past twenty-five years has fostered an environment where use of the military has been justified as an acceptable foreign policy tool if it will guarantee American safety. Benjamin I. Page and Marshall M. Bouton add significant insight to the

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<sup>29</sup> Crandall, *Latin America after the Cold War*, 86–87.

<sup>30</sup> Dana Priest, *The Mission: Waging War and Keeping Peace with America's Military* (New York: W.W. Norton & Company, 2004), 16.

<sup>31</sup> Loveman, “U.S. Security Policies,” 4.

belief that combating the supply side of the drug trade in Latin America is best performed by the U.S. military in their book *The Foreign Policy Dis\*Connect: What American's Want from Our Leaders but Don't Get*. To make their argument, they study voting trends and public opinion polls in America; they find that there is a majority consensus among the American public that it is acceptable to use the military to prevent drugs from entering the U.S., or focusing on the supply side of the problem.<sup>32</sup> The support from the American public strengthens the claim for military involvement as a foreign policy tool to combat drugs in Latin America.

With regard to the post-September 11 environment in particular, Brian Loveman examines the role of the U.S. military in countering drugs in Latin America during this recent period. He concludes that the U.S.-led drug war in South America was exacerbated by the September 11 attacks as Washington employed the U.S. military and substantial funding to combat the War on Drugs and the War on Terror.<sup>33</sup> U.S. drug policies would not alter course as long as the threat of terrorism post a risk to America's national security. Eduardo Pizarro and Pilar Gaitán provide an example of continued drug policies in Colombia. They argue that U.S. military aid for combatting terrorists in Colombia was justified because illegal drug trafficking is the source of income for the terrorists.<sup>34</sup> Like Loveman, they believe that supply-side drug policies will remain as long as the military is involved with eliminating financial funding for terrorists. The reliance on U.S. military power is disadvantageous for accurately assessing the effectiveness of U.S. drug policies in Latin America because once started it seldom allows the implementation for a divergent approach towards solving the problem. Scholars that value the weight of U.S. military perception believe that foreign policies centered on using the military outside of the territorial U.S. to achieve national security goals will persist as long as threats remain

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<sup>32</sup> Benjamin I. Page and Marshall M. Bouton, *The Foreign Policy Dis\*Connect: What Americans Want from Our Leaders but Don't Get* (Chicago: The University of Chicago Press, 2006), 106.

<sup>33</sup> Loveman, "U.S. Security Policies," 23–24.

<sup>34</sup> Eduardo Pizarro and Pilar Gaitán, "Plan Colombia and the Andean Regional Initiative: Lights and Shadows," in *Addicted to Failure: U.S. Security Policy in Latin America and the Andean Region*, ed. Brian Loveman (Boulder: Rowman and Littlefield Publishers, 2006), 61.

active. Table 1 is a consolidated list of scholars' hypothesis for why the U.S. continues to pursue failed drug policies in Latin America.

Table 1. Summary of Literature Review Hypotheses

Explanation	Scholar(s)
Public Education	Eva Bertram and colleagues
Politician Education	Adam Isacson
Fear Associated with Change	Renee Scherlen Jonathan Caulkins and colleagues
Political Motivation for Reelection	Coletta Youngers Adam Isacson Russell Crandall Eva Bertram and colleagues
Military Bureaucracy	Dana Priest
National Security and the Military	Brian Loveman Eduardo Pizarro and Pilar Gaitán

Table 1 provides a summary of hypotheses around the persistence of failed drug policies in Latin America.

## B. POTENTIAL EXPLANATIONS AND HYPOTHESES

There are many hypotheses that attempt to explain the persistence of failed U.S. drug policies in Latin America. The majority of the scholars mentioned in the literature review work for liberal think tanks; this lack of diverse political orientation does not degrade the hypotheses presented but it should be mentioned before proceeding. The previously mentioned hypotheses are not sufficient enough to explain the perpetuation of failed U.S. counterdrug policies in Latin America. There are two hypotheses capable of explaining policy makers in Washington's reliance on supply-side drug policies. The first hypotheses focuses on the role that domestic politics play to explain the persistence of failed U.S. drug policies in Latin America. I believe that it is a combination of individual politicians' motivations for re-election and political parties' motivation to reduce areas of debate between parties. The individual focus of the politician and the group focus of party leadership have led all actors involved to keep the status quo over U.S. supply-side drug policies in Latin America. I will also add two education variables to the domestic politics argument. The first is that politicians and political parties cherry pick the data to

tell their constituencies about the success of the drug war in Latin America. The second is that even without skewed data from politicians, the American public does not have easy access to the statistics and facts over the drug war to make an educated assessment. I do not believe Adam Isacson's claim that politicians lack the necessary education on U.S. drug policies to attempt a shift from supply-side drug policies in Latin America. My own interpretation is that politicians are educated enough to make decisions but once again are motivated to appease their constituencies.

The second hypothesis is that the U.S. military is used as a tool to solve America's problems. When problems arise, the military is a one-stop shop to remedy the situation. Additionally, when success has yet to been achieved, or the situation appears to be worsening, the go-to procedure for policy makers is to use more military involvement. As an organization, the military has adapted to its role as an international problem solver; the military evolves to stay relevant and guarantee funding in order to remain ready for the next conflict that looms over the horizon. The American military is not doing anything wrong by advocating for the continuation of supply side counterdrug policies in Latin America; it is a mission that the military has convinced itself it is well suited for and should continue to pursue.

### **C. RESEARCH DESIGN**

This thesis on U.S. drug policy in Latin America focuses on policies in the Andean region, paying special attention to Plan Colombia. In my research I looked for information on Colombia, Ecuador, Peru, and Bolivia. To evaluate the conditions policy termination and policy adjustment I researched foreign policy theory. Analysis is conducted over congressional reports, congressional testimonies, and military guiding documents.

To evaluate why supply-side drug policies remain, I examine what facts were presented, whether the drug war was deemed a success, and what policy remedies were offered. By using primary sources such as testimonies and official reports, we can evaluate the quality and honesty of information provided. Finally, I look at what alternative options to supply-side drug policies are presently available. By understanding

what other approaches may be taken, I can make educated recommendations for policy changes.

#### **D. THESIS OVERVIEW**

The thesis consists of five chapters. After this introductory chapter, Chapter II provides a brief historical background on the evolution of U.S. drug policy in Latin America and the increased importance placed upon supply side counterdrug policies in Latin America. Chapter III discusses the research from congressional hearings and reports over U.S. drug policy in Latin America. Chapter IV shows research results from examining military doctrine and guiding military policies; these doctrines will be analyzed at the organizational level of the military and the geographic level of the Southern Command. Chapter V concludes the thesis with policy recommendations and alternative approaches to U.S. drug policy domestically and in Latin America.

## II. BACKGROUND CHAPTER OF U.S. DRUG POLICIES IN LATIN AMERICA

A concise understanding of U.S. counterdrug policies in Latin America is important before examining why these policies persist despite not showing significant success. As the history of the policies are reviewed it becomes apparent that the focus on countering drug use in America consistently leads to increased militarization and tactics that aim to stop the drug production at the source and the drug trade before it enters the domestic American market. The following sections break down the evolution of counterdrug policies into five periods.

### A. INITIAL U.S. DRUG POLICIES

Prior to the 1970s drugs in America were not viewed as a significant problem let alone a threat to U.S. national security. That view dramatically shifted in 1971 when President Richard Nixon determined that the War on Drugs as it relates to domestic security in the United States was becoming a significant problem; the use and addiction to drugs was considered “public enemy No. 1.”<sup>35</sup> This newfound dedication towards stopping drug abuse was associated with shift from predominantly marijuana use to the high use of heroin taking place throughout the country.<sup>36</sup> Many different agencies battled for resources to combat the domestic drug problem in the United States. To alleviate the competition for resources and the intelligent sharing shortfalls, the Drug Enforcement Administration was established in 1973.<sup>37</sup>

One of the reasons why the U.S. counterdrug policies remained domestic during the 1970s and 1980s was that the main focus of attention for U.S. foreign policy was diverted towards winning the Cold War. Despite the tendency for U.S. foreign policy to

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<sup>35</sup> “Timeline: America’s War on Drugs,” National Public Radio, last modified April 2, 2007. <http://www.npr.org/templates/story/story.php?storyId=9252490>.

<sup>36</sup> Lisa N. Sacco, *Drug Enforcement in the United States: History, Policy, and Trends*, (CRS Report No. R43749) (Washington, DC: Congressional Research Service, 2014), 5, <https://www.fas.org/sgp/crs/misc/R43749.pdf>.

<sup>37</sup> Sacco, *Drug Enforcement in the United States*, 6.

revolve around defeating the Soviets, there was some drug policy efforts made to counter the U.S. drug problem. The U.S. government provided military funding and equipment to its Latin American allies; also, the U.S. military took part in training select members of Latin American military's at the School of the Americas.<sup>38</sup> Other aspects of U.S. foreign involvement in Latin American countries revolved around training and assisting local police forces abroad. Specifically, countries where drug production was high received help in the form of intelligence from U.S. assets.<sup>39</sup> The assistance to Latin American countries in the form of training, supplies, and collaboration were notable considering the amount of foreign policy dedicated to the Soviet Union. Substantial changes towards U.S. counterdrug policy in Latin America did not appear until after the Cold War and the increased rise of drug use in America became more prevalent.

## **B. EVOLUTION OF U.S. COUNTERDRUG POLICIES FOLLOWING THE COLD WAR**

Towards the end of the Cold War the consistent rise of drug use in America led policymakers to take a more aggressive stand against drug abuse. In 1988 the Office on National Drug Control Policy (ONDCP) was established to operate as the new single source for countering drugs in America; this would be accomplished by establishing the counterdrug policies and tactics that all agencies would refer to.<sup>40</sup> Other efforts that emerged in the 1980's to counter drugs in the United States are still used today. The establishment of mandatory minimum sentences for convictions relating to trafficking of drugs or drug offenses that impact legal minors all led to an increase in drug convictions.<sup>41</sup> Predicting the long-term effect of mandatory minimum sentences for drug related crimes would not be necessary if the mandatory minimum sentences worked as designed and discouraged the continuation of the drug trade. The final chapter shows that the mandatory minimum sentences for drug related crimes established in the 1980's were

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<sup>38</sup> Isacson, "The U.S. Military in the War on Drugs," 18.

<sup>39</sup> Isacson, "The U.S. Military in the War on Drugs," 19.

<sup>40</sup> Sacco, *Drug Enforcement in the United States*, 9.

<sup>41</sup> Sacco, *Drug Enforcement in the United States*, 8–9.

not only unsuccessful at stopping the trafficking and possession of drugs but also extremely costly.

In 1987, U.S. supply side counterdrug policies in Latin America took an unprecedented step by providing the highest amount of funding for countering drugs in the history of U.S. and Latin American relations. Over \$30 million were dedicated to aid Latin American allies in their efforts to stop drug cartels and the exchange of illicit drugs on the supply side of the drug trade.<sup>42</sup> Similar to previous aid provided by the U.S. in the 1970s, the funding focused on providing ally partners with the proper equipment, funding, and assistance to win the War on Drugs.<sup>43</sup> While the U.S. military saw an increased role in executing U.S. counterdrug policies in Latin America towards the end of the Cold War, U.S. law enforcement assistance in Latin America also began to rise. Both by directly assisting host nation countries in Latin America during operations and by providing training there were now more U.S. agencies working to stop the supply side of the drug trade in Latin America than ever before.<sup>44</sup>

### C. THE ANDEAN INITIATIVE

In 1989 President George H. W. Bush's Andean Strategy shifted U.S. counterdrug policy in Latin America to focus almost completely on supply reduction at the source of the problem.<sup>45</sup> This policy objective of stopping cocaine production during the cultivation stage had lasting impacts on U.S. counterdrug policies in Latin America that are apparent today. The Andean Initiative was the most detailed and important part of the overall strategy; it allocated significant amounts of funding for military equipment and training that led to a greater militarization of the targeted Latin American countries.<sup>46</sup> While the Andean Strategy sought to increase the overall security conditions in the

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<sup>42</sup> Isacson, "The U.S. Military in the War on Drugs," 22.

<sup>43</sup> Isacson, "The U.S. Military in the War on Drugs," 22.

<sup>44</sup> Rachel Neild, "U.S. Police Assistance and Drug Control Policies," in *Drugs and Democracy in Latin America: The Impact of U.S. Policy*, ed. Coletta A. Youngers and Eileen Rosin (Boulder: Lynne Rienner Publishers, 2005), 68.

<sup>45</sup> Isacson, "The U.S. Military in the War on Drugs," 23.

<sup>46</sup> Neild, "U.S. Policed Assistance and Drug Control Policies," 68.

Andean region, the breakdown of the 1990 Andean Initiative funding highlights the disparity between stopping the supply side of the drug trade and other programs such as those that would aid in internal development. Out of the over \$231.6 million budget for 1990, over eighty percent of the funding went towards supply side drug tactics, leaving less than twenty percent of the budget for other development programs.<sup>47</sup>

The U.S. military's importance in Latin America grew following the establishment of the Andean Initiative. New importance for the U.S. military stemmed from two sources. The first was the reinvigoration of the U.S. military's role in training and supporting the Andean countries attacking the supply side of the drug trade; next was the designation of the U.S. armed forces as the primary organization for stopping drugs before they entered the United States.<sup>48</sup> As the U.S. military involvement in Latin America increased, the Latin American militaries slowly followed the guidance of the U.S. by taking a tougher stance to stop drug production and drug trade domestically. This U.S. led guidance resulted in the militaries' of key Latin American countries taking an aggressive role in surveillance, patrols, and destruction of contraband.<sup>49</sup> Overall the Andean Initiative established by President George H. W. Bush was the first step in the increased levels of U.S. militarization in Latin America to stop the drug trade at the supply side of the problem.

#### **D. PLAN COLOMBIA**

Former president of Colombia, Andrés Pastrana, began seeking support for Plan Colombia in 1998. Plan Colombia began as what Pastrana described, “a policy of investment for social development, reduction of violence and the construction of peace.”<sup>50</sup> This design for Plan Colombia revolved around strengthening the democratic

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<sup>47</sup> Isacson, “The U.S. Military in the War on Drugs,” 23.

<sup>48</sup> Clare Ribando Seelke et al., *Latin America and the Caribbean: Illicit Drug Trafficking and U.S. Counterdrug Programs*, (CRS Report No. R41215) (Washington, DC: Congressional Research Service, 2012), 9–10, <https://www.hsl.org/?view&did=705052>.

<sup>49</sup> Isacson, “The U.S. Military in the War on Drugs,” 23–24.

<sup>50</sup> María Clemencia Ramírez Lemus, Kimberly Stanton, and John Walsh, “Colombia: A Vicious Circle of Drugs and War,” in *Drugs and Democracy in Latin America: The Impact of U.S. Policy*, ed. Coletta A. Youngers and Eileen Rosin (Boulder: Lynne Rienner Publishers, 2005), 106.

institutions in Colombia and the state itself; the U.S. government had a different idea for how the finalized product of Plan Colombia would look. At the center of the disagreement between the United States government and the Colombia government was that the Colombians viewed the volatile situation in Colombia as a direct result of the multiple insurgencies residing in the country while the Americans viewed the volatile situation in Colombia as a direct result of the illegal drug production and trade within Colombia.<sup>51</sup> This difference of opinion impacted the final outcome of Plan Colombia.

The Colombian government was entrenched in a battle for peace within the country between the National Liberation Army (ELN), the United Defense Forces of Colombia, and the Revolutionary Armed Forces of Colombia (FARC).<sup>52</sup> Despite recognizing the threat towards regional stability posed by the internal fighting in Colombia, the U.S. did not want to fall into a never-ending war of counterinsurgency; instead, the U.S. decided to focus on supporting Colombia by aiding in the fight against the supply side of the drug trade.<sup>53</sup> President William Clinton and his administration shifted the design of Pastrana's Plan Colombia into one that focused much more heavily on increasing funding and training for the Colombian Military and Police in order to attack the supply side drug problems in Colombia.<sup>54</sup> The initial funding approved by the U.S. Congress in 2000 was \$860 million; of that \$860 million, \$642.3 million was dedicated for the greater militarization of the Colombian police and the Colombian military.<sup>55</sup> Similar to the Andean Initiative, the Plan Colombia ratio of funding for militarization far outweighed that of institution building.

After the September 11, 2001 terrorist attacks, the American need to separate its role in Colombia as one of counterdrugs over counterinsurgency vanished. By linking the previously mentioned insurgent organizations to terrorism, the scope of U.S. counterdrug policies in Latin America expanded again, this time to include the growing threat of

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<sup>51</sup> Lemus, Stanton, and Walsh, "Colombia: A Vicious Circle of Drugs and War," 106–107.

<sup>52</sup> Clare Ribando Seelke et al., *Latin America and the Caribbean: Illicit Drug Trafficking*, 5.

<sup>53</sup> Lemus, Stanton, and Walsh, "Colombia: A Vicious Circle of Drugs and War," 107.

<sup>54</sup> Lemus, Stanton, and Walsh "Colombia: A Vicious Circle of Drugs and War," 108.

<sup>55</sup> Lemus, Stanton, and Walsh "Colombia: A Vicious Circle of Drugs and War," 108.

narco-terrorists.<sup>56</sup> U.S. funding to the governments of Latin American allies where terrorist organization may reside increased sharply. In just twelve years, Plan Colombia received over \$8 billion from U.S. counterdrug policies in Latin America.<sup>57</sup>

Besides military training and funding, another key aspect of Plan Colombia is aerial fumigation. This form of crop eradication has a history in the Andean region that dates back long before Plan Colombia. Policymakers in Washington placed high value on the fumigation of coca because of the increased presence of cocaine on the streets of America.<sup>58</sup> With the increased number of aerial fumigations taking place, drug cultivators began to attack the planes carrying out the crop eradication; this resulted in increased security measures in the form of escorts for the aerial fumigation planes.<sup>59</sup> The increase of resistance posed by drug dealers did not deter policymakers; aerial fumigation remained a central aspect of Plan Colombia and the attack on the supply side of the drug trade.

## **E. CONCLUSION**

Although it has been fifteen years since Congress approved Plan Colombia, there have been few changes made to the U.S. counterdrug policies in Latin America. Supporters of Plan Colombia often cite the lower levels of coca production in Colombia as a result of successful supply side counterdrug policies. It is true that the percentage of coca cultivation in Colombia is lower now than it was before Plan Colombia; what is also true though is that coca production expanded in other Andean countries.<sup>60</sup> This phenomenon is known as the “balloon effect,” when coca production goes down in Colombia it will increase in a different country in the Andean region.<sup>61</sup> Over twenty years after U.S. counterdrug policy in Latin America took a dramatic shift with President

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<sup>56</sup> Isacson, “The U.S. Military in the War on Drugs,” 48–49.

<sup>57</sup> Clare Ribando Seelke et al., *Latin America and the Caribbean: Illicit Drug Trafficking*, 5.

<sup>58</sup> Lemus, Stanton, and Walsh “Colombia: A Vicious Circle of Drugs and War,” 112.

<sup>59</sup> Lemus, Stanton, and Walsh “Colombia: A Vicious Circle of Drugs and War,” 112.

<sup>60</sup> Clare Ribando Seelke et al., *Latin America and the Caribbean: Illicit Drug Trafficking*, 11.

<sup>61</sup> Lemus, Stanton, and Walsh “Colombia: A Vicious Circle of Drugs and War,” 113–114.

George H. W. Bush's Andean Initiative, the U.S. counterdrug policies for Latin America remain unchanged. President Barack Obama is perpetuating the U.S. emphasis on supply side counterdrug policies in Latin America by continuing funding and support for Plan Colombia.<sup>62</sup> The U.S. counterdrug policies in Latin America are still heavily focused on the supply side of the drug trade; this means Latin American countries receiving U.S. funding will continue to militarize their police and armed forces

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<sup>62</sup> Clare Ribando Seelke et al., *Latin America and the Caribbean: Illicit Drug Trafficking*, 11.

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### **III. CONGRESSIONAL TESTIMONIES: ANALYZING FACTS AND OPINIONS OF U.S. LAWMAKERS OVER THE WAR ON DRUGS**

Pursuing an earnest search for an effective plan of action to win the “War on Drugs” is undeniably a challenging duty. Lawmakers in Washington must review the progress made in lowering illegal drug levels in the United States and then either support for the current strategy or offer alternative suggestions for U.S. drug policy. Congressional hearings are excellent primary sources to learn and evaluate the information that is provided to politicians. Expert witnesses provide facts from either existing studies or firsthand expertise relating to drug use in America, drug production, and the status of the “War on Drugs.”

By understanding what information was provided during congressional hearings, we can better understand why the U.S. drug policy in Latin America has continued to focus primarily on the supply side of the drug chain. This chapter will analyze congressional hearings dating from the 1990s until the middle of the 2000s. It will include whether witnesses and members of congress believe that the U.S. is winning the “War on Drugs,” as well as what recommendations they make for future drug policy. Although it is impossible to know exactly how congressional members viewed the effectiveness of U.S. drug policy in Latin America, analysis of the congressional testimonies provides insight into general trends and thinking of the time. The analysis below also examines the political party that is in the White House during the congressional testimonies and the perspectives of members of congress. This is useful to see how politicians in congress react to counterdrug policies that their applicable political party supports or disagrees with.

#### **A. CONGRESSIONAL TESTIMONIES OF THE 1990S**

Following years of counterdrug policies that focused almost entirely on attacking the supply side of the drug problem domestically and aboard, the president’s national drug strategy shifted slightly. Rather than focus just on the drug supply and education of

America's youth, President Clinton also allocated money to target a portion of America's most extreme drug users.<sup>63</sup> Members from the opposite political party, like Republican William H. Zeliff, Jr., Chairman of the House of Representatives National Security, International Affairs, and Criminal Justice Subcommittee, cited President Clinton's leadership as the main reason the U.S. successes attained during the late 1980s and early 1990s in the "War on Drugs" were being undone.<sup>64</sup> After pointing to the rising number of juvenile drug users in America, Zeliff attacked President Clinton's national drug strategy by saying in reference to school-age drug users, "Today's casual users are tomorrow's hardcore users."<sup>65</sup> From the perspective of Chairman Zeliff, the changes implemented by President Clinton undermined the former President, President George H.W. Bush, progress in winning the war on drugs.

Drug use in America was in fact on the rise, "Between 1993 and 1994, daily use of marijuana by seniors jumped by 50 percent."<sup>66</sup> An attack on President Clinton's leadership in handling the drug problem in America did not go uncontested. Naturally, Democrats argued that President Clinton's Leadership was not to blame for the rising drug use in America. Democrats such as Karen L. Thurman, a member of the *National Security, International Affairs, and Criminal Justice Subcommittee*, argued that President Clinton had done a great deal to increase funding in the "War on Drugs" as well as reorganize leadership to most efficiently respond to the challenges associated with combating drugs.<sup>67</sup> From opening statements in the Congressional Hearing on the *Effectiveness of the National Drug Control Strategy and the Status of the Drug War* on March 9, 1995, left-wing opinions on whether the U.S. should continue to focus on the supply side of the drug problem or shift to the demand side were not blatantly obvious.

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<sup>63</sup> Committee on Government Reform and Oversight, *Effectiveness of the National Drug Control Strategy and the Status of the Drug War: Hearings before the National Security, International Affairs, and Criminal Justice Subcommittee*, 104th Cong., 1st sess., March 9 and April 6, 1995, 2–3.

<sup>64</sup> Committee on Government Reform, *Status of the Drug War*, 2.

<sup>65</sup> Committee on Government Reform, *Status of the Drug War*, 3.

<sup>66</sup> Committee on Government Reform, *Status of the Drug War*, 2.

<sup>67</sup> Committee on Government Reform, *Status of the Drug War*, 4.

Although some of President Clinton’s decisions were unpopular, Democrats could not be classified as demand-side supporters. Thurman’s conclusion sheds light on the shared similarities across party lines; she says, “Finally, the legislative and the executive branches, our communities, and the media must focus on this real issue: keeping our citizens off drugs, treating current drug users, and reducing the supply of illegal drugs.”<sup>68</sup> Simply put, in the early 1990s members from both side of the aisle believed that destroying the supply side of drugs was critical for U.S. drug policy to succeed. The perspective of the Republicans was skewed because of their disdain for the Democratic leadership in the White House. While the Republicans argued that the situation was worse because of the new changes, the counterdrug policies were still heavily focused on the supply side.

Expert witnesses played a significant role in educating members of congress during congressional hearings. Former First Lady, Nancy Reagan, testified on March 9, 1995, in the Congressional Hearing on the *Effectiveness of the National Drug Control Strategy and the Status of the Drug War*. While she was First Lady, Mrs. Reagan received much credit for her work in educating America’s youth on the dangers of drugs with her campaign called “Just Say No.”<sup>69</sup> As the wife of a Republican president who believed in the necessity of attacking the supply side of the drug trade, her testimony is very interesting. Mrs. Reagan blames the reemergence of increased drug use on the lack of presidential leadership as well as spending money allocated to win the “War on Drugs” in the wrong way.<sup>70</sup> In the conclusion of her testimony, Mrs. Reagan provides her solution to the drug problem. She says, “The real solution is to dry up the demand. And that can only come through education and strong moral leadership. It can only come through prevention.”<sup>71</sup> By concluding her 1995 testimony by stating a demand-side

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<sup>68</sup> Committee on Government Reform, *Status of the Drug War*, 5.

<sup>69</sup> Committee on Government Reform, *Status of the Drug War*, 6.

<sup>70</sup> Committee on Government Reform, *Status of the Drug War*, 14–15.

<sup>71</sup> Committee on Government Reform, *Status of the Drug War*, 15.

approach as being the answer to America's drug problem, Mrs. Reagan took a stance different from most Republicans and Democrats in office at the time.

Subsequent witness testimonies focused more on the necessity of continuing supply side policies. John P. Walters, a former Acting Director and Deputy Director of the Office of National Drug Control Policy, credited interdiction efforts in Latin America rather than crop eradication to reducing the supply of cocaine in America.<sup>72</sup> Like many others in the 1990s, Walters believes that drug use is on the rise in America. His expert suggestion is to continue supply side tactics as well as provide U.S. communities with money to carry out prevention measures of their choice.<sup>73</sup> The testimony of Robert C. Bonner, Former Director of the DEA, gives a balanced view of how to win the "War on Drugs" as it relates to the approach. His assessment of the current drug situation in America can be largely accredited to his close ties with President Clinton's predecessor, President Bush. After first identifying President Clinton's leadership as the source of increased drug use in America, Bonner states that greater leadership from the President, greater measures for drug interdiction, and greater education of America's youth is necessary to stop the growing drug problem in America.<sup>74</sup> Although Mr. Bonner suggested a balanced approach towards combating the drugs in America, his allegiance to supply side counterdrug tactics and his contempt for President Clinton may be credited with his role as Director of the DEA while President George H.W. Bush was in office. Whether advertent or inadvertent, Mr. Bonner's perspective in his testimony makes sense because of his allegiance to his former boss.

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<sup>72</sup> Committee on Government Reform, *Status of the Drug War*, 32–34.

<sup>73</sup> Committee on Government Reform, *Status of the Drug War*, 37.

<sup>74</sup> Committee on Government Reform, *Status of the Drug War*, 44.

In May of 1997 the *Subcommittee on National Security, International Affairs, and Criminal Justice* convened to discuss the reauthorization of the Office on National Drug Control Policy (ONDCP).<sup>75</sup> This hearing provided lawmakers the opportunity to evaluate the success of current drug control strategies and if necessary provide alternatives that may yield better results. Although the ONDCP encompasses policies and coordination both inside and outside of the U.S., the evaluation on supply side drug strategy effectiveness is useful.

Mark E. Souder, a member of the *National Security, International Affairs, and Criminal Justice Subcommittee*, argued that supply side tactics work; eradication, interdiction, and shooting down suspected trafficking planes all produce results.<sup>76</sup> Mr. Souder provides a realistic analysis of the drug problem; he says, “It’s a matter of reducing the supply, upping the costs, trying to do some prevention treatment. It’s not likely that we’re ever going to totally get rid of the problem. So it becomes a little different performance standard than zero tolerance.”<sup>77</sup> Like his predecessors, Mr. Souder believes that the focus should be supply side heavy but have other components like education and abuse treatment.

One witness who did not support the reliance on supply side tactics to win the “War on Drugs” was Norman Rabkin. As Director of the Administration of Justice Issues at the General Accounting Office (GAO), Mr. Rabkin highlighted the lack of success for supply side drug policies and offered demand-side policies as a potential remedy. In regard to supply side tactics, Mr. Rabkin stated simply, “that these efforts have not reduced the availability of drugs.”<sup>78</sup> Unfortunately, the mention of demand-side antidrug

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<sup>75</sup> Committee on Government Reform and Oversight, *Reauthorization of the Office of National Drug Control Policy: Hearing Before the Subcommittee on National Security, International Affairs, and Criminal Justice*, 105th Cong., 1st sess., May 1, 1997, 1.

<sup>76</sup> Committee on Government Reform, *National Drug Control Policy*, 95.

<sup>77</sup> Committee on Government Reform, *National Drug Control Policy*, 95.

<sup>78</sup> Committee on Government Reform, *National Drug Control Policy*, 74.

policies was brief and accompanied by the caveat that there had not been enough widespread testing of demand policies to guarantee their success.<sup>79</sup>

Very few witnesses or members of Congress supported demand-side antidrug policies; the general consensus from the congressional testimonies in the mid 1990s was that antidrug tactics should focus on the supply side to win the “War on Drugs.” The majority of members and of witnesses believed a balanced approach with youth prevention and education, drug abuse treatment options, and most importantly lowering the supply of drugs into the U.S. was the best way to stop the rising level of drug use in America. There were also many attacks on the leadership of President Clinton in the “War on Drugs”; this heavy criticism may have led to the Presidents tougher stance on attacking the supply side of drugs in Latin America.

With a limited budget and competing resources all vying for a portion of money allotted for antidrug policies, the Senate held a joint hearing before the Senate Caucus on International Narcotics Control and the Committee of Foreign Relations in September of 1998.<sup>80</sup> The purpose of the hearing was to determine the best way for money to be spent in support of countering illegal drugs in the U.S. Specifically, Senator Mike DeWine authored the proposed Senate bill, S. 2341, to refocus antidrug funding in order to give \$2.6 billion over three years just to focus on the supply side of drugs.<sup>81</sup> To show the growing disproportion in the drug control budget Senator DeWine compared the 1987 drug control budget that served as a model for a balanced three prong attack and the proposed fiscal year 1999 drug control budget. Figure 1 provides the percentage breakdown of the 1987 Drug Control Budget.<sup>82</sup>

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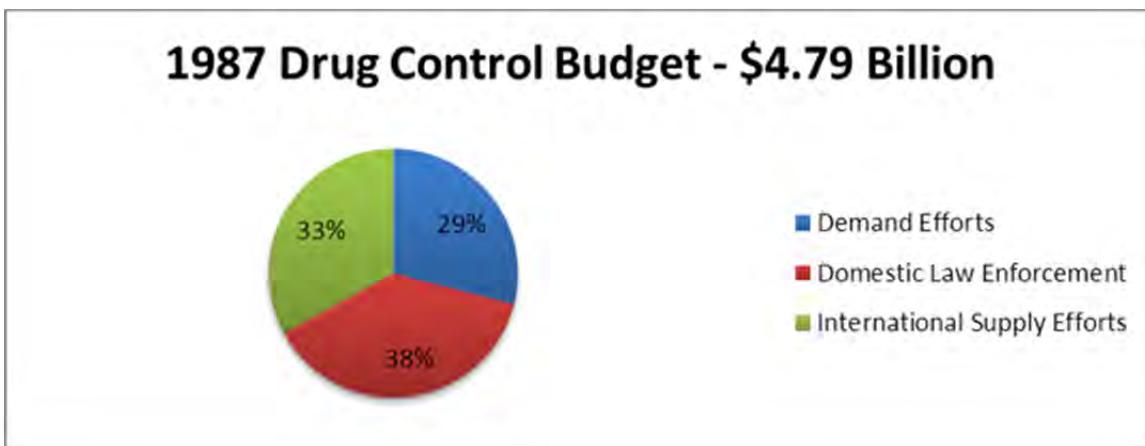
<sup>79</sup> Committee on Government Reform, *National Drug Control Policy*, 74.

<sup>80</sup> Senate Caucus on International Narcotics Control and the Committee on Foreign Relations, *U.S. Anti-Drug Interdiction Efforts and the Western Hemisphere Drug Elimination Act: Hearings before the Senate Caucus on International Narcotics Control and the Committee on Foreign Relations*, 105th Cong., 2nd sess., September 16, 1998, 4.

<sup>81</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 6.

<sup>82</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 6.

Figure 1. 1987 Drug Control Budget



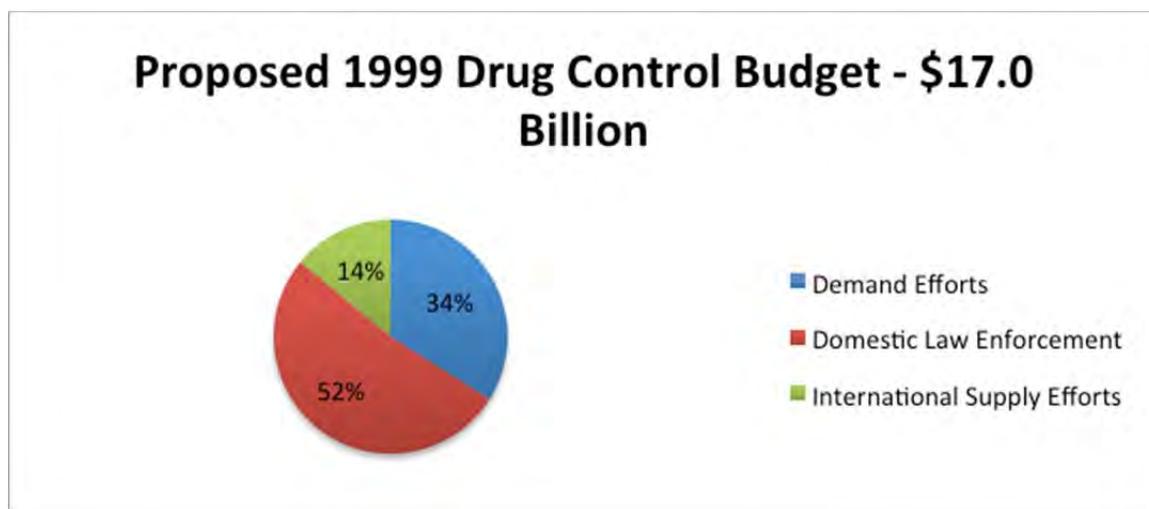
Adapted from: Senate Caucus on International Narcotics Control and the Committee on Foreign Relations, U.S. Anti-Drug Interdiction Efforts and the Western Hemisphere Drug Elimination Act: Hearings before the Senate Caucus on International Narcotics Control and the Committee on Foreign Relations, 105th Cong., 2nd sess., September 16, 1998, 6.

The 1987 drug control budget was evenly balanced in comparison to the proposed fiscal year 1999 drug control budget put forth by the Clinton administration. Senator DeWine credits balanced drug control policies with achieving lower levels of drug use in the U.S.; he blames the current rise of juvenile drug use as well as higher level of drugs in the U.S. on the unbalanced approach taken by the Clinton administration.<sup>83</sup> The majority of members in attendance as well as expert witnesses agree that the drug problem in the U.S. was only getting worse. By primarily blaming the shift from Republican leadership in the White House to Democratic leadership in the White House, the Republicans in attendance hoped to prove that their efforts to win the “War on Drugs” were the most beneficial. Further comparison of the funding allotted for supply side efforts in 1987 versus 1999 provides useful insight. Funding for the supply side efforts of the 1987 drug control budget totals 1.58 billion; funding for the supply side efforts of the 1999 drug control budget totals 2.04 billion. The amount of money for supply-side efforts in 1999 accounts for 43 percent of the original 1987 drug control budget. For the Republican leadership in congress to declare that President Clinton was uncommitted or ruining

<sup>83</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 6–7.

progress that had been made in the “War on Drugs” is unreasonable. From Senator DeWine’s perspective, President Clinton was undermining progress made during President George H. W. Bush’s administration by giving less of the counterdrug budget towards international supply side efforts. This perspective ignores that a substantial amount of money was still focused on combating the supply side of the drug trade. Figure 2 provides the percentage breakdown of the 1999 Drug Control Budget.<sup>84</sup>

Figure 2. Proposed 1999 Drug Control Budget



Adapted from: Senate Caucus on International Narcotics Control and the Committee on Foreign Relations, U.S. Anti-Drug Interdiction Efforts and the Western Hemisphere Drug Elimination Act: Hearings before the Senate Caucus on International Narcotics Control and the Committee on Foreign Relations, 105th Cong., 2nd sess., September 16, 1998, 6–7.

One expert witness was General Barry McCaffrey, Director of the Office of National Drug Control Policy. While testifying, General McCaffrey noted that cocaine production in Latin America was down; but he added the caveat that historically, regardless of funding allotments over the past ten years, average seizures from Latin America are almost always around one-third of the annual crop production.<sup>85</sup> The significance of this statement is that supply side antidrug efforts will only produce a

<sup>84</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 6–7.

<sup>85</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 17.

standard set of results. General McCaffrey also comments on the problem with stopping the supply side of drug production; in regards to the drug cartels in Latin America he says, “They are capable of responding very quickly.”<sup>86</sup> To counter drug runners and the drug supply heading into the U.S. from Latin America is difficult because the drug cartels are able to adjust to new supply-side strategies with great ease. General McCaffrey also echoes a previous point on the rise of funding for counterdrug policies and the rise of funding specifically for supply-side programs.<sup>87</sup> The point being that the Clinton administration is dedicated to lowering drug use in the U.S. and even though the funding allocations may not seem balanced, significant work is still being done to attack the supply side of the drug problem and appease the Republican majority that believes this is the best course of action.

Dr. Rex Rivolo was a principal analyst at the Institute for Defense Analyses and Dr. Barry Crane was the Project Leader at the Institute for Defense Analyses; both of their expert witness testimony’s differed greatly from General McCaffrey. Dr. Rivolo began by detailing what successful counterdrug policies should look like to policy makers; simply put, lower drug use is how you measure the effectiveness of your policies.<sup>88</sup> Both Dr. Rivolo and Dr. Crane also included their explicit support for aggressive supply-side tactics in Latin America. They credited the rise of cocaine prices as well as the elimination of the air transport route in Peru, through shoot down tactics, with supply-side policies.<sup>89</sup> Both members from the Institute of Defense Analyses agreed that while there has been undeniable success in the supply-side antidrug efforts, Colombia posed a great threat. Until Colombia was handled properly by using aggressive supply-side drug policies and aiding the government and military of Colombia, they believed cocaine use would continue to damage the U.S.<sup>90</sup> Their analysis showed that the

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<sup>86</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 15.

<sup>87</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 21.

<sup>88</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 55.

<sup>89</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 55–57.

<sup>90</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 57–60.

U.S. should not only continue the supply-side policies in Latin America, but that it should increase the funding and assistance to win the war on drugs.

Some members of Congress appeared to look for what they want in statistics in order to best prove their claims. Failing to acknowledge the significant rise in antidrug funding as well as the increase in funding for supply-side efforts from 1987–1999 conveniently bolsters supply-side supporters’ claims that the U.S. is losing the “War on Drugs” since the shift from a Republican-led White House to a Democrat-led White House took place. Congressman Mark Souder described statistics and the ability to use them as seen fit by saying “The figures lie and liars figure.”<sup>91</sup> By 1998, the U.S. was spending over \$17 billion a year on the national drug control budget. While many witnesses and members of Congress believed that supply-side tactics were the best way to win the “War on Drugs,” there was a growing number of witnesses and members of Congress who saw the value in supply-side tactics but knew that supply-side tactics were not enough to stop the drug problem in America. Senator Joseph Biden acknowledged the benefit of supply-side efforts but ultimately concluded that it is impossible to entirely eliminate drugs; he said, “Let us not deceive ourselves that this is going to lead us to that promised land.”<sup>92</sup> Toward the end of the 20th century, there was only a small group of policy makers in congress that saw the increasing importance of demand-side drug policies. Supporters of demand-side policies were greatly dwarfed by the vast majority that firmly believed to win the “War on Drugs,” supply-side efforts needed to greatly increase in Latin America. Specifically, Colombia was a growing hotbed of activity that needed financial and military support from Washington.

## **B. ANTI-DRUG DEBATE IN THE NEW MILLENNIUM**

How the U.S. should handle the “Drug War” in Latin America in the first few months of the new millennium quickly became a potent topic for debate. Cocaine and

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<sup>91</sup> Committee on Government Reform, *National Drug Control Policy*, 93.

<sup>92</sup> Caucus on International Narcotics Control, *Western Hemisphere Drug*, 3–4.

heroin production was expanding throughout Colombia, Bolivia, and Peru.<sup>93</sup> On February 15, 2000, a hearing before the Subcommittee on Criminal Justice, Drug Policy, and Human Resources took place. Representative John Mica highlighted the importance of the hearing by saying, “This hearing will serve as the first real public hearing of the issue since the administration submitted its billion-dollar-plus emergency supplemental aid package.”<sup>94</sup> The aid package in question was Plan Colombia.

The criticism towards President Clinton and his slow response was a Republican led claim; fellow members of the Democratic party continued to support President Clinton and his counterdrug policies. Members of Congress were particularly concerned with three drug-related issues in Latin America that they perceived. First, Colombia was extremely unstable; extensive insurgent activity led to high levels of violence in the country. Second, increased violence in Colombia spilled over into the rest of the region and also provided new territory to cultivate drugs. Finally, blame for the delay in U.S. involvement in Colombia fell on to President Clinton; many republican members believed he was too slow to provide the proper (supply-side intensive) support that the region needed.<sup>95</sup>

As Director of the Office of National Drug Control Policy in 2000, General McCaffrey provided his expert witness testimony before the Subcommittee on Criminal Justice, Drug Policy, and Human resources. Similar to his previous testimonies before Congress, McCaffrey harped on the necessity to attack the supply side of the drug problem in Latin America.<sup>96</sup> McCaffrey also depicted what he viewed as being extreme danger posed by the FARC and other insurgent groups in Colombia by explaining how drug money funds their organizations which leads to greater militarization and then violence in Colombia; that violence does not stop at the border and often boils over to

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<sup>93</sup> Committee on Government Reform House Of Representatives, *The Crisis in Colombia: What Are We Facing: Hearing before Subcommittee on Criminal Justice, Drug Policy, and Human Resources*, 106th Cong., 2nd sess., February 15, 2000, 13.

<sup>94</sup> Committee on Government Reform, *Crisis in Colombia*, 1.

<sup>95</sup> Committee on Government Reform, *Crisis in Colombia*, 13–14.

<sup>96</sup> Committee on Government Reform, *Crisis in Colombia*, 82–82.

neighboring countries.<sup>97</sup> In all, General McCaffrey's testimony reinforces his request to increase supply-side efforts for countering drugs in Latin America.

Two Congresswomen that were members of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources called for a different approach in Colombia and Latin America. The first, Congresswoman Patsy Mink suggested a different use of funding to combat drugs in Latin America. Rather than directly intervene in Colombia by militarizing the country, she suggests funding go to strengthening the institutions and providing viable alternatives to drug related activity to the people of Colombia.<sup>98</sup> The second, Congresswoman Janice Schankowsky called for an end to funding dedicated toward crop eradication and militarization of Latin American countries.<sup>99</sup> She also suggested that a better use of funding would be for treatment of drug users rather than interdiction or crop eradication.<sup>100</sup> In regards to Plan Colombia funding directly, Congresswoman Schankowsky said, “The administration should also explain how increasing funds for a policy will change the result when past increases and support has not changed the outcome.”<sup>101</sup> Both of the Congresswomen’s statements opposed the predominantly held belief that supply-side tactics were necessary to win the “War on Drugs.” Surprisingly, both of the Congresswomen were members of the Democratic Party so their cautious approach towards further militarization in Colombia may seem odd. While Plan Colombia included a military approach, there were aspects of the funding that focused on building institutions as well. Although the Congresswomen supported caution, they did not attack the Presidential leadership.

Congresswoman Schankosky’s statements were met with much hostility from other members of the subcommittee. Congressman Bob Barr, a Republican, responds by citing that “Demand reduction activities account for 32.3 percent of the national drug

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<sup>97</sup> Committee on Government Reform, *Crisis in Colombia*, 36–37.

<sup>98</sup> Committee on Government Reform, *Crisis in Colombia*, 16–17.

<sup>99</sup> Committee on Government Reform, *Crisis in Colombia*, 29.

<sup>100</sup> Committee on Government Reform, *Crisis in Colombia*, 29.

<sup>101</sup> Committee on Government Reform, *Crisis in Colombia*, 30.

control budget...and interdiction activities are only 10.4 percent.”<sup>102</sup> He then proceeded to suggest that the “War on Drugs” had been sabotaged by mismanagement of funds between the White House and State Department.<sup>103</sup> This response contains both paranoia and stubbornness. Paranoia that the opposing political party’s desire to validate their point could motivate them so far as to ruin a present policy and actually weaken the national security of the United States; stubbornness that despite reports showing only marginal success for crop eradication and interdiction in Latin America, members of congress believed that supply-side dominant policy was still the best course of action in the U.S. “War on Drugs.” From the perspective of Congressman Barr, questioning the policies of Plan Colombia was a threat against the supply-side counterdrug policies in Latin America; interdiction and crop eradication were some of the staple supply-side drug policies in Latin America, eliminating them would weaken the ‘progress’ made to date.

### **C. POST-SEPTEMBER 11, 2001**

Within a month of the September 11, 2001, terrorist attacks on the U.S., Congress held a hearing before the Subcommittee on Criminal Justice, Drug Policy, and Human Resources. Feelings of both frustration and anger were prevalent in the testimony of all those involved. Although the Taliban in Afghanistan received the highest attention, the FARC in Colombia were addressed because of the similarities between the two groups in regards to the instability they cause in their country and the financing received by the drug trade.<sup>104</sup> Both the FARC and Taliban received funding from drug related activity; direct threats toward the U.S. were much more achievable with an unlimited supply of funding in the form of drug money.<sup>105</sup> In Congressman Elijah Cummings opening statement, as the ranking member of the Democrat Party on the subcommittee, he referenced President George W. Bush’s comments about the need to attack supply chains

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<sup>102</sup> Committee on Government Reform, *Crisis in Colombia*, 31.

<sup>103</sup> Committee on Government Reform, *Crisis in Colombia*, 31.

<sup>104</sup> Committee on Government Reform House Of Representatives, *Drug Trade and Terror Network: Hearing before Subcommittee on Criminal Justice, Drug Policy, and Human Resources*, 107th Cong., 1st sess., October 3, 2001, 1–2.

<sup>105</sup> Committee on Government Reform, *Drug Trade and Terror*, 3–4.

that support and finance terrorist activities; he also reinforces the point that the FARC has made terrorist threats against America.<sup>106</sup> Another insurgency group mentioned that possess the capability to carry out violent terrorist attacks is the Shining Path from Peru. The Shining Path also funded their operations with money from the drug trade.<sup>107</sup> In the first month immediately following the worst attack on U.S. soil since December 7, 1941, there was no discussion of changing the antidrug policy in Latin America or the rest of the world. On the contrary, tensions were high and the need to stop drugs at the source and prevent terrorist organization from receiving funding was a top priority. The destruction of narco-terrorists physically and financially meant a safer United States; preventing violence at home and lowering drug use throughout the country was essential for America's national security.

Just over six months after the September 11 terrorist attacks against the U.S., the Senate Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs met to discuss the status of Colombia. This hearing echoed many of the previous concerns that Colombia was a hotbed for terrorist activities and that the terrorist were receiving funding from the production and trade of illegal drugs.<sup>108</sup> In addition to growing concerns in Colombia, the risk of regional violence and turmoil was also mentioned in regards to neighboring countries in the Andean Region.<sup>109</sup> In this hearing the FARC were no longer referred to as just armed combatants or insurgents, they were identified as narco-terrorists. This classification was part of a broader shift in the way that the U.S. looked at the FARC after the September 11 terrorist attacks. The assistance provided under Plan Colombia was eligible for use against drug cartels, terrorists, and narco-terrorist; whatever group threatened the stability of Colombia could legally be pursued under Plan Colombia.<sup>110</sup>

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<sup>106</sup> Committee on Government Reform, *Drug Trade and Terror*, 7.

<sup>107</sup> Committee on Government Reform, *Drug Trade and Terror*, 114.

<sup>108</sup> Committee on Foreign Relations United States Senate, *U.S.-Colombia Policy: What's Next?*: Hearing before Subcommittee Western Hemisphere, Peace Corps and Narcotics Affairs, 107th Cong., 2nd sess., April 24, 2002, 48.

<sup>109</sup> Committee on Foreign Relations, *What's Next?*, 51.

<sup>110</sup> Connie Veillette, *Plan Colombia: A Progress Report*, (CRS Report No. RL32774) (Washington, DC: Congressional Research Service, 2005), 3, <https://www.fas.org/sgp/crs/row/RL32774.pdf>.

While all members in attendance agreed that the narco-terrorist situation in Colombia was worsening, some individuals did not give full support to blindly increasing the military presence in Colombia to solve the problem. The Chairman of the subcommittee, Senator Christopher Dodd, was a Democrat who supported the U.S. policy in Latin America but was hesitant to accept the changes proposed by President George W. Bush. Specifically, Chairman Dodd felt that not enough details of President Bush's proposed Latin America policy were clearly defined.<sup>111</sup> According to Chairman Dodd, the Bush Administration wanted to move and expand U.S. policy focus in Latin America from counterdrugs to counterterrorism; this policy shift would require funding to be shifted and limitations removed.<sup>112</sup> Chairman Dodd's concerns were valid: a shift like this would further the U.S. dependency on supply-side tactics as well as expand America's military presence in the Western Hemisphere. While Chairman Dodd did not want to abandon current counterdrug policies in Latin America, his perspective was that in the pursuit of terrorists, U.S. foreign policy as it relates to drugs could become misguided in the future.

One expert witness who testified before the subcommittee was Marc Grossman, Under Secretary of State for Political Affairs. His testimony included portions that strongly advocated alternative methods to win the "War on Drugs" in Latin America besides just attacking the supply side. One alternative he strongly pushed the Senate to approve was the Andean Trade Preferences Act, (ATPA). The ATPA provides safe sources of economic security besides drug cultivation and trade; it also helps fund Andean countries as they work to strengthen their national infrastructure.<sup>113</sup> Despite Mr. Grossman's support for alternative programs in addition to traditional supply-side antidrug tactics, some members were skeptical that alternative programs would yield success. The common consensus was that if an alternative program were not a viable

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<sup>111</sup> Committee on Foreign Relations, *What's Next?*, 3.

<sup>112</sup> Committee on Foreign Relations, *What's Next?*, 3.

<sup>113</sup> Committee on Foreign Relations, *What's Next?*, 11.

option then farmers throughout the Andean region would return to traditional coca cultivation.<sup>114</sup>

In June of 2003, a Senate hearing before the Caucus of International Narcotics Control reinforced the fear of another terrorist attack on the U.S. The hearing evaluated the progress of Plan Colombia as well as the risk of U.S. drug policies in Latin America on other countries in the Andean region. Two expert witnesses made strong claims about the importance of attacking narco-terrorism at the source to aid in regional stability and U.S. national security. The first, General James Hill, Commander of U.S. Southern Command, praised the professionalism of the Colombian military as well as their bravery in fighting the terrorist organizations in Colombia.<sup>115</sup> The second, Francisco Santos-Calderon, Vice President of Colombia, also mentioned the great threat that terrorists pose to regional stability; he then went on to talk about the successes of U.S. and Colombian supply-side counterdrug activities like aerial spraying, interdiction, and reductions in crop cultivation.<sup>116</sup> Both of these witnesses praised the success of U.S. drug policies in Latin America; their testimonies carry extra weight because both spend substantial time on the ground in Colombia as first hand witnesses.

Other members in attendance also agreed with General Hill and Vice President Santos-Calderon about the success of U.S. drug policies in Colombia. Senator Biden praised the success of supply-side tactics in Colombia but warned of the dangers to neighboring countries brought on by Colombia's success.<sup>117</sup> After acknowledging the success of supply-side tactics in Colombia, Senator Biden pointed out that significant work still remained to stop the drug problem in the U.S.; and he warned that allowing U.S. provided military equipment to be used in Colombia against terrorists might distract the U.S. from achieving the established counterdrug policies for Latin America.<sup>118</sup> Senator Biden's perspective does not contain hostility towards the opposing political

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<sup>114</sup> Committee on Foreign Relations, *What's Next?*, 41.

<sup>115</sup> United States Senate, *U.S. Policy Regarding Narcotics Control in Colombia: Hearing before the Caucus on International Narcotics Control*, 108th Cong., 1st sess., June 3, 2003, 28–29.

<sup>116</sup> Caucus on International Narcotics, *U.S. Policy Regarding Narcotics*, 14–16.

<sup>117</sup> Caucus on International Narcotics, *U.S. Policy Regarding Narcotics*, 1–2.

<sup>118</sup> Caucus on International Narcotics, *U.S. Policy Regarding Narcotics*, 1–2.

party but it does differ from the predominant Republican view that placed the highest value on supply-side counterdrug policies. Paul Simons, Acting Assistant Secretary for the Bureau of International Narcotics and Law Enforcement Affairs at the State Department, testified that Plan Colombia was a growing success by referencing the increased leave of aerial spraying.<sup>119</sup> Mr. Simons also pleads for funding support to the Andean counter-Narcotics Initiative; keeping the focus on current U.S. supply-side drug tactics in Latin America.<sup>120</sup> Almost two years after the September 11 terrorist attacks, the focus of U.S. drug policies in Latin America continued to rely on attacking the supply side of the drug trade. With the strong fear held by many American's of another terrorist attack on the U.S., policy makers strongly advocated for continual pressure on attacking narco-terrorists at the source in Latin America.

The Senate reevaluated U.S. antidrug progress in Latin America and Colombia in October of 2003. By that time, the U.S. was engaged in intense conflict in both Iraq and Afghanistan; but policy makers in Washington were still concerned with a narco-terrorist threat from Latin America.<sup>121</sup> Many members such as Robert Charles, Assistant Secretary of State for the Bureau for International Narcotics and Law Enforcement Affairs, unwaveringly supported U.S. supply-side drug policies in Latin America and declared Plan Colombia a success. By citing the decline of coca cultivation in Colombia and the amount of hectares sprayed for crop eradication, Mr. Charles believed that the supply-side tactics for attacking the drug problem in Latin America were successful.<sup>122</sup>

Some members in attendance spoke out against Plan Colombia and the U.S. supply-side approach in Latin America. In 2002, Senator Christopher Dodd spoke out about his concerns for President George W. Bush's expansion of Plan Colombia to include counter terrorism, not just counter narcotics. Again, Senator Dodd testified about the dangers of a dominant military approach in Colombia; he instead suggested the

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<sup>119</sup> Caucus on International Narcotics, *U.S. Policy Regarding Narcotics*, 20.

<sup>120</sup> Caucus on International Narcotics, *U.S. Policy Regarding Narcotics*, 20.

<sup>121</sup> United States Senate, *Challenges and Successes for U.S. Policy Toward Colombia: Is Plan Colombia Working?: Hearing before the Committee on Foreign Relations*, 108th Cong., 1st sess., October 29, 2003, 1.

<sup>122</sup> Committee on Foreign Relations, *Is Plan Colombia Working?*, 6-7.

necessity to address the economic needs of Colombia with funding from Plan Colombia.<sup>123</sup> Despite calling for a more even-keeled approach in Colombia, Senator Dodd reinforced a common notion that the U.S. must work with all countries in Latin America to destroy the drugs and stop the cartels at the source.<sup>124</sup> His statement contains only a veil of support for shifting from supply-side drug tactics in Latin America; his perspective is not in direct opposition with President George W. Bush but it does offer an alternative from the status quo counterdrug policies by suggesting investment in Colombia's institutions and infrastructure.

Dr. Julia Sweig, Senior Fellow and Deputy Director for Latin America Studies at the Council on Foreign Relations, argued that only a balanced approach would provide lasting success in the “War on Drugs.”<sup>125</sup> Although her recommendations did not include a shift from supply-side tactics to domestic demand-side tactics, she did argue that in Latin America, supply-side tactics alone would not bring an end to the U.S. drug problem.<sup>126</sup> Like Senator Dodd, she believed that U.S. drug policy in Latin America should be balanced between crop eradication and interdiction as well as infrastructure development in the region.<sup>127</sup> Although Senator Dodd and Dr. Sweig did not call for an all-out end to supply-side drug policy in Latin America, they did suggest a restructuring in order to yield more success and bring more stability to the region.

As the three-year anniversary of the September 11 attacks approached, the House of Representatives held a hearing to discuss the progress of U.S. drug policies in Colombia and the rest of Latin America. Unlike previous hearings, members and witnesses in the June 17th hearing were much more divided on what U.S. drug policies in Latin America should look like. Debate led to three distinct groups; the first group supported supply-side tactics to counter drugs in Latin America. The second group believed supply-side tactics were useless and a shift to demand-side policies was needed;

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<sup>123</sup> Committee on Foreign Relations, *Is Plan Colombia Working?*, 3–4.

<sup>124</sup> Committee on Foreign Relations, *Is Plan Colombia Working?*, 4.

<sup>125</sup> Committee on Foreign Relations, *Is Plan Colombia Working?*, 62.

<sup>126</sup> Committee on Foreign Relations, *Is Plan Colombia Working?*, 62.

<sup>127</sup> Committee on Foreign Relations, *Is Plan Colombia Working?*, 63–64.

the final group believed that a greater balance between the two would yield the most success in the U.S. “War on Drugs.” Overall, the threat of narco-terrorism posed by the FARC remained a top concern in guiding the U.S. policy in Colombia.

The first group included Representative Mark Souder, a Republican member of the Committee on Government Reform for the House of Representatives and Mr. John Walters, Director of the U.S. Office of National Drug Control Policy; both of these individuals believed that supply-side tactics were the best approach for countering drugs in Colombia and the rest of Latin America. Mr. Souder praised the work done in Colombia and believed it was a huge success.<sup>128</sup> Although he acknowledged that work can be done domestically for demand reduction, Mr. Souder argued that U.S. antidrug policy in Latin America must first lower the supply of illegal drugs to a manageable level. Like Mr. Souder, Mr. John Walters believed that the U.S. antidrug policy in Latin America yielded significant results; between Plan Colombia and the Andean Counterdrug Initiative, the estimated levels of cocaine production have dropped significantly.<sup>129</sup> Mr. Walters argued that the reduction in U.S. youth drug use continues to fall because of the successful U.S. drug policies in Latin America.<sup>130</sup> Only by continuing to fund current U.S. drug policies in Latin America, would success continue.

Also in the first group of supporters that believed keeping supply-side drug policies intact in Latin America was key to success were Mr. Thomas O’Connell, Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, as well as General James Hill, Commander of U.S. Southern Command. Like previous testimonies concerning the fear of terrorism, Mr. O’Connell drew a direct correlation to the dangers of narco-terrorism on stability in Latin America and the safety of the

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<sup>128</sup> House of Representatives, *The War Against Drugs and Thugs: A Status Report on Plan Colombia Success and Remaining Challenges: Hearing before the Committee on Government Reform*, 108th Cong., 2nd sess., June 17, 2004, 13.

<sup>129</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 14–15

<sup>130</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 16.

American people.<sup>131</sup> After reinforcing the dangers posed by narco-terrorists, Mr. O’Connell called for continuing support in Colombia via funding and a request for increased U.S. troop presence on the ground, which would further militarize the supply-side tactics.<sup>132</sup> There was no mention of shifting current drug policies in Latin America; Mr. O’Connell’s testimony reinforced decades of a shared belief that the to win the “War on Drugs,” aggressive supply-side tactics must be used. In General Hill’s testimony, he began by speaking about the status of U.S. supported efforts in the region. He said, “Colombia is at a decisive point. Although there is much work to be done, our country’s significant investments in Plan Colombia and the Andean Ridge initiative are beginning to show substantial results.”<sup>133</sup> After General Hill mentioned the success of U.S. antidrug policies in the region, he shifted to praise the Colombian military for their professionalism in fighting the “War on Drugs” as well as bringing peace to Colombia; for General Hill, continuing Plan Colombia and supply-side antidrug tactics was the only course of action.<sup>134</sup>

Success was hard to measure because when coca production decreased in one area it rose in another. For example, “In the Department of Putumayo...coca production decreased by 82 percent (between) 1999 and 2002. During that same period, however, coca cultivation rose by 163 percent in the Department of Guaviare.”<sup>135</sup> After years of limited sustained success from supply-side drug tactics in Latin America, some members believed that a shift in policy was necessary to win the “War on Drugs.” Mr. John Duncan Jr., a member of the Committee on Government Reform, aggressively attacked how the supporters of supply-side tactics in Latin America portray information. Specifically, Mr. Duncan criticized Mr. Walters claimed success in lowering the amount of cocaine produced in Latin America. In Mr. Duncan’s opinion, over the past half of a decade, no significant progress had been made; since Colombia still produces 70 percent

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<sup>131</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 125.

<sup>132</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 126.

<sup>133</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 135.

<sup>134</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 135–136.

<sup>135</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 6.

of the world's cocaine supply, the U.S. supply-side policies have not worked.<sup>136</sup> Since antidrug policies have not yielded enough results, the U.S. should abstain from continuing to spend billions of dollars abroad where nothing significant is being accomplished. Mr. John Tierney, another member of the Committee on Government Reform was also very critical on the limited success of Plan Colombia. After criticizing the use of funding for Plan Colombia by stating that it was more about regional security than counter drugs, he addressed the limited success of Coca reduction in the region.<sup>137</sup> Between limited success from eradicating cocaine at the source and the broadening scope of Plan Colombia, Mr. Tierney stated his concern that the current policies may not be working.<sup>138</sup>

Two other supporters of a U.S. drug policy shift in Latin America were all expert witnesses. The first, Dr. Marc Chernick, Professor in the Department of Government and School of Foreign Service at Georgetown University, began by pointing to the historical failure of U.S. supply-side antidrug policies in Latin America.<sup>139</sup> He then described the negative consequences of adding more military assets to countries in Latin America for combatting the narco-terrorism threat.<sup>140</sup> The picture of U.S. supply-side drug policies as painted by Dr. Chernick is disastrous. Rather than just condemn U.S. foreign policy, he suggested that alternative methods to win the "War on Drugs" will yield better results. Dr. Chernick argued that focusing on demand-side drug issues rather than clinging on to failed supply-side tactics is the best course of action.<sup>141</sup>

Adam Isacson, Director of Programs at the Center for International Policy, was the next expert witness to support a shift from supply-side tactics in Latin America. Mr. Isacson explained that current tactics had not succeeded because there had been no

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<sup>136</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 29–30.

<sup>137</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 27.

<sup>138</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 27.

<sup>139</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 182–183.

<sup>140</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 183.

<sup>141</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 201–202.

change in the price of cocaine; supply-side tactics that attack the source should cause the price to rise.<sup>142</sup> He also believed that current policies that focus on militarization caused damage to the stability of the region and neglect the infrastructure needs of the countries.<sup>143</sup> If the U.S. is going to continue funding programs like Plan Colombia, Mr. Isacson called for less military aid and more infrastructure development and job alternatives to coca growing.<sup>144</sup>

The final group supported a balanced approach to U.S. drug policies in Latin America. A member of the Committee on Government Reform, Ms. Eleanor Norton, a member of the Democratic Party, began by stating that supply-side tactics are not enough alone to bring stability to the region or stop the drug problem in America.<sup>145</sup> Despite saying that supply-side tactics are not enough to find success in the “War on Drugs,” Ms. Norton does not offer clear alternatives to U.S. drug policies in Latin America; she simplistically suggested that continuing bipartisan efforts was the necessary course of action.<sup>146</sup> Without providing a detailed alternative to current policies, the likeliness of resonating significant change was very low.

Ms. Diane Watson, a member of the Democratic Party, was another member of the Committee on Government Reform that was somewhere in the middle of supply-side and demand-side tactics in Latin America. She believed that progress made to counter drugs in Latin America had been good but efforts must be balanced between abroad and domestic challenges.<sup>147</sup> The U.S. should continue to lower the supply levels of drugs by continuing supply-side tactics, but domestically, drug abusers should receive treatment so that demand drops as well.<sup>148</sup> Mr. Robert Charles, the Assistant Secretary of International Narcotics and Law Enforcement Affairs at the U.S. Department of State also believed

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<sup>142</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 189.

<sup>143</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 190–191.

<sup>144</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 202.

<sup>145</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 12.

<sup>146</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 12.

<sup>147</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 40–42.

<sup>148</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 40–42.

that a balanced approach to the drug problem was the best course of action. He believed that the supply-side tactics have yielded success so far; he said, “What we do in places like Colombia has a direct effect on us here in the United States...it is directly affecting the security and the safety of hometown America.”<sup>149</sup> In order to continue achieving success, Mr. Charles believed that supporting Plan Colombia and the Andean Counterdrug Initiative is necessary. Rather than shift U.S. policy to strictly to the supply side or demand side of the drug trade, Mr. Charles argued that there must be a balance. Policy must contain a portion that attacks the supply and keeps it out of the U.S.; it also must contain a portion that provides treatment and education at home in America.<sup>150</sup>

#### **D. CONCLUSION**

Evaluation of congressional testimonies from the 1990s up until the mid-2000s showed that policy makers in Washington heard many different accounts of the success, or not, from supply-side antidrug tactics in Latin America. Toward the end of the 20th century, the number of demand-side drug policy supporters was limited. After the terrorist attacks of September 11, 2001, the focus of the U.S. drug policy makers shifted almost universally to only combating narco-terrorism and thus preventing another terrible attack on U.S. soil. The political rally to support efforts to eliminate terrorism around the world placed newfound importance on defeating the narco-terrorism threat in Latin America and thus aided in perpetuating supply-side drug policies under the premise of stopping not only drug related activity but also terrorist activity.

As the years passed, despite the continual threat of terrorist attacks, some policy makers and expert witnesses grew weary of increasing foreign military aid as the U.S. expanded its military presence throughout the Middle East. Eventually, opponents to supply-side antidrug policies began to emerge. They called for either a balanced approach with efforts aimed at demand reduction in America or for an all-out shift from supply-

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<sup>149</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 103.

<sup>150</sup> Committee on Government Reform, *War Against Drugs and Thugs*, 172.

side policies. Even though people were again speaking out about the futility of supply-side antidrug tactics in Latin America, Congress did not make any changes to the current supply side focused policies in Latin America. The perspective of politicians in Washington was strongly influenced by their association with the White House. Politicians were more likely to perceive the current counterdrug policies in Latin America as a success or as a failure based off of their political party held the White House.

## IV. QUADRENNIAL DEFENSE REVIEW AND SOUTHCOM POSTURE STATEMENTS

The Secretary of Defense, with help from the highest-ranking flag officers in the military, are responsible for ensuring that the military has proper funding to carry out missions in the future. Dana Priest put this idea that the military will ensure their organizational survival by hyping various threats against U.S. national security forward in the literature review. To understand what the military leadership said about countering drugs in Latin America and thus arguing for the necessity of their organization, it is beneficial to examine two types of reports. The first is the Quadrennial Defense Review; a document constructed by the Secretary of Defense with inputs from each service branch outlining present and future challenges for the military. The second is the posture statements from geographical combatant commands. For the purpose of this thesis, SOUTHCOM's posture statements were reviewed since they focus on Latin America. An examination of these documents shows that the military did not hesitate to link the importance of the DOD in fighting the “War on Drugs” with U.S. national security.

### A. 1997 QDR

The first ever QDR was written in May of 1997. The purpose as described by the Secretary of Defense at the time, William S. Cohen, was to clearly state the necessary course and objectives for the Department of Defense to combat present and future threats to U.S. National Security.<sup>151</sup> The first mention of drugs appears in Section II entitled “The Global Security Environment”; the reference to drugs was in relation to other illegal activities like international crime that degrade the safety at home in America.<sup>152</sup> Drug trade in regards to the Global Security Environment was another illegal act that made planning for future threats more challenging. It falls well lower in terms of factors that impact the Global Security Environment than factors like regional instability or spillage

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<sup>151</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (Washington, DC: May, 1997), 3.

<sup>152</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (1997), 20.

of intelligence and military equipment.<sup>153</sup> The initial portrayal of the illegal drug trade was that it was a criminal matter; there was no correlation drawn between drugs and terrorism.

The second and final mention of drugs in the inaugural QDR appeared in Section III, “Defense Strategy.” After a brief introduction explaining the need for the U.S. military to operate abroad, one of the key requirements to achieve the U.S. goal of “Preventing or Reducing Conflicts and Threats,” was to stop the drug flow into the United States.<sup>154</sup> Although the second mention of drugs was brief, it focused on attacking the production of drugs and on the interdiction of drugs.<sup>155</sup> For the DOD, countering the supply side of the drug problem was outlined as a priority dating back to the initial 1997 QDR.

## **B. 2001 QDR**

After the initial QDR, the second QDR was published on September 30, 2001. This time, under the leadership of Donald H. Rumsfeld, the 2001 QDR focused primarily on terrorism and the nations that enable and support terrorist cells.<sup>156</sup> The only mention of drugs appeared in the first section, “America’s Security in the 21<sup>st</sup> Century.”<sup>157</sup> The Illegal drug trade was mentioned more as something that stemmed from underdeveloped countries not on par with the U.S. than a direct threat to America’s national security from a traditional adversary. The 2001 QDR groups countries in the Western Hemisphere together concluding that most of their governments cannot properly police themselves; this inability to handle problems internally justified the DOD’s role abroad in rebalancing world order and preventing illegal activity.<sup>158</sup> There was not a direct mention of supply-

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<sup>153</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (1997), 19–20.

<sup>154</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (1997), 28.

<sup>155</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (1997), 28.

<sup>156</sup> U.S. Department of Defense, *Quadrennial Defense Review Report* (Washington, DC: September 30, 2001), III–V.

<sup>157</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2001), 3.

<sup>158</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2001), 3.

side policies in Latin America, but the justification of U.S. forces abroad to help countries that the U.S. deemed incapable of helping themselves does show the military's willingness to consider placing forces in the Western Hemisphere when necessary.

### C. 2005 POSTURE STATEMENT

The first SOUTHCOM posture statement comes from General Bantz J. Craddock, U.S. Army published in March of 2005. At the beginning of the posture statement, General Craddock identified the military's role in the SOUTHCOM AOR as supporting the War on Terror through the efforts to combat narco-terrorists in Colombia.<sup>159</sup> One of the many threats identified by General Craddock in the SOUTHCOM AOR was the ease at which narco-terrorism can take place in unstable countries.<sup>160</sup> According to General Craddock, as long as narco-terrorists could operate freely in the SOUTHCOM AOR, the security of people in Latin America and in the U.S. would be threatened.<sup>161</sup> Similar to many of the congressional testimonies, the 2005 SOUTHCOM posture statement highlighted the direct link between terrorism and drugs. General Craddock cited drug money as the source of funding for narco-terrorism.<sup>162</sup> The Latin American countries under SOUTHCOM's umbrella would not be safe until terrorism was eliminated in the region.

To prove the point that U.S. military action in the SOUTHCOM AOR was effective, General Craddock referenced the successes in Colombia. Success came from U.S. military training of foreign forces, providing military equipment, and advising the Colombian military forces.<sup>163</sup> Another area that General Craddock claimed significant success by SOUTHCOM was through traditional supply-side drug tactics like crop eradication and drug interdiction. According to the 2005 SOUTHCOM posture statement, in one year, "342,000 acres of coca and over 9,500 acres of opium poppy were

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<sup>159</sup> U.S. Department of Defense, *Posture Statement of General Bantz J. Craddock, United States Army Commander, United States Southern Command* (Washington, DC: March 9, 2005), 3.

<sup>160</sup> U.S. Department of Defense, *2005 Posture Statement of General Bantz J. Craddock*, 4.

<sup>161</sup> U.S. Department of Defense, *2005 Posture Statement of General Bantz J. Craddock*, 4.

<sup>162</sup> U.S. Department of Defense, *2005 Posture Statement of General Bantz J. Craddock*, 11.

<sup>163</sup> U.S. Department of Defense, *2005 Posture Statement of General Bantz J. Craddock*, 12–13.

destroyed.”<sup>164</sup> Similar to the congressional testimonies, eradication amounts were a common way to prove success of U.S. supply-side drug policies in Latin America. Outside of Colombia, the 2005 SOUTHCOM posture statement placed drug interdiction at the top of its mission requirements within the AOR. According to General Craddock, by detecting and interdicting drugs before they reach America or can be sold elsewhere achieved two objectives. First, there would be fewer drugs in America; second narco-terrorist groups would lose money and therefore have less money at their disposal.<sup>165</sup>

Despite the successes claimed by the U.S. Southern Command in 2005, there was still a great deal of uncertainty about the future in the posture statement. General Craddock skillfully outlined the role that SOUTHCOM played in winning the “War on Terror” by linking drugs as a source of funding for terrorists. With the progress made in Colombia, diverting military assets under SOUTHCOM control to other areas of the region would result in a diminished U.S. presence in Colombia. At the time, there were not enough resources to guarantee mission success across all of SOUTHCOM’s AOR. General Craddock’s concern was that without the proper funding and resources, it would be difficult to meet all of SOUTHCOM’s objectives and future challenges.<sup>166</sup> The 2005 SOUTHCOM posture statement effectively conveyed progress made in Latin America as well as the risks associated with failing to thoroughly fund and support SOUTHCOM missions. The 2005 SOUTHCOM posture statement set the standard for subsequent posture statements to illustrate the necessity of the U.S. military in Latin America.

#### **D. 2006 QDR**

Although the National Defense Authorization Act (NDAA) for Fiscal Year 1997 requires a QDR every four years, there was a five-year gap following the 2001 QDR. Four-and-a-half years after the terrorists’ attacks of September 11, the 2006 QDR was still focused primarily on countering terrorism. Donald Rumsfeld was still Secretary of

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<sup>164</sup> U.S. Department of Defense, *2005 Posture Statement of General Bantz J. Craddock*, 14.

<sup>165</sup> U.S. Department of Defense, *2005 Posture Statement of General Bantz J. Craddock*, 23.

<sup>166</sup> U.S. Department of Defense, *2005 Posture Statement of General Bantz J. Craddock*, 26–27.

Defense and still a strong supporter for the U.S. led “War on Terror.”<sup>167</sup> The first mention of drugs and the role that the DOD would play in future counterdrug operations appeared in the first section, “Fighting the Long War.”<sup>168</sup> This section, “Fighting the Long War,” accurately described the strategic and military challenges for the DOD; the challenges were complex for military planners because the opponents in each of these areas of conflict were often non-state actors; this made finding, fighting, and negotiating with them even more difficult.<sup>169</sup>

Narcotics were also found under the subsection entitled “Humanitarian and Early Preventive Measures”; the QDR outlined the importance of stopping the global drug problem from getting worse in order to keep U.S. interests at home and abroad secure.<sup>170</sup> The 2006 QDR’s mention of the DOD’s role in combatting drugs is interesting for three reasons. First, it directly mentions the role that the U.S. Southern Command plays in aiding Plan Colombia; second it mentions the expanding role of the DOD to combat both drugs and terrorists in Colombia.<sup>171</sup> By including the successes of the U.S. military in Colombia, the 2006 QDR justified funding for the military to continue aiding supply-side drug policies in Latin America. The final area of interest is that the short paragraph over drugs ended with the mention of narco-terrorists.<sup>172</sup> This is the first mention of narco-terrorists in all of the QDR’s and reinforced the notion that the DOD must stop all forms of terrorism to ensure the safety of America.

## **E. 2006 POSTURE STATEMENT**

The 2006 SOUTHCOM posture statement was published while General Craddock was still Commander of SOUTHCOM. Similar to the 2005 SOUTHCOM posture statement, the 2006 version focused on stopping narco-terrorists to guarantee regional

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<sup>167</sup> U.S. Department of Defense, *Quadrennial Defense Review Report* (Washington, DC: February, 6, 2006), vii–viii.

<sup>168</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2006), 14.

<sup>169</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2006), 9.

<sup>170</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2006), 12.

<sup>171</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2006), 14.

<sup>172</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2006), 14.

stability and the safety of America.<sup>173</sup> One change in the SOUTHCOM posture statement was the breakdown of problems and challenges by each country. Specifically, the analysis of the countries within the Andean Ridge was helpful at displaying SOUTHCOM's interpretation of the drug problem in the Andes.<sup>174</sup> According to SOUTHCOM, all of the countries in the Andean ridge were at heightened risk of instability because of the illegal drug production and trade originating in the region.<sup>175</sup> For SOUTHCOM, the most logical solution to these problems was continued U.S. military assistance.

SOUTHCOM concluded that great progress was made throughout Latin America in combating the “War on Drugs,” especially in Colombia.<sup>176</sup> Figures of crop eradication through aerial fumigation and figures of tons of drugs interdicted were used to quantify the success in Colombia, “Aerial fumigation topped 140,00 hectares...223 metric tons of drugs were seized.”<sup>177</sup> Although these figures seem significant on their own, they do not provide insight into what effects these supply-side tactics have had on U.S. or world drug consumption.

One particularly interesting point made in the 2006 SOUTHCOM posture statement had to do with how SOUTHCOM viewed the plan to achieve widespread regional stability and security in Latin America. Rather than claim that a strictly military approach was necessary for success, General Craddock suggested that efforts must also be made to strengthen the governments and institutions in Latin America.<sup>178</sup> By addressing other necessities aside from military ones for the countries in the SOUTHCOM AOR, General Craddock illustrated the complex nature of problems in the region. Even though General Craddock acknowledged that military power alone would not lead to peace and stability in Latin America, the 2006 SOUTHCOM posture

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<sup>173</sup> U.S. Department of Defense, *Posture Statement of General Bantz J. Craddock, United States Army Commander, United States Southern Command* (Washington, DC: March 18, 2006), 2.

<sup>174</sup> U.S. Department of Defense, *2006 Posture Statement of General Bantz J. Craddock*, 8–10.

<sup>175</sup> U.S. Department of Defense, *2006 Posture Statement of General Bantz J. Craddock*, 8–10.

<sup>176</sup> U.S. Department of Defense, *2006 Posture Statement of General Bantz J. Craddock*, 7.

<sup>177</sup> U.S. Department of Defense, *2006 Posture Statement of General Bantz J. Craddock*, 8.

<sup>178</sup> U.S. Department of Defense, *2006 Posture Statement of General Bantz J. Craddock*, 7.

statement predominately focused on the continued necessity for DOD activity in the region. The Commander of SOUTHCOM believed that supply-side drug policies as well as continued military involvement in the region were the reason progress in Latin America was visible. Again the DOD claimed that its efforts in SOUTHCOM AOR were vital for U.S. national security.

#### **F. 2008 POSTURE STATEMENT**

In 2008, U.S. Navy Admiral Jim Stavridis was commander of U.S. Southern Command. The SOUTHCOM posture statement he published echoed many of the points mentioned by his predecessor, General Craddock. Admiral Stavridis believed that Colombia was moving closer toward being a stable and peaceful country because of the hard work and dedication show by both the Colombian government and the U.S. government.<sup>179</sup> He said, “Continued U.S. support at current levels for the next three years is critical.”<sup>180</sup> Admiral Stavridis statement was important because it showed his belief that for Colombia to continue being successful SOUTHCOM components needed continuing involvement in Colombia. Failure to follow his advice could erase years of progress in Colombia.

Another area that Admiral Stavridis and his predecessor agreed on was the threat posed by drugs to U.S. national security. The 2008 SOUTHCOM posture statement warned that failure to properly handle the drug problem in the SOUTHCOM AOR could result in increased instability in the region as well as violence and death in America.<sup>181</sup> One particular issue with stopping the illegal flow of drugs into the U.S. that the 2008 SOUTHCOM posture statement addressed was the creativity and flexibility of drug networks. Admiral Stavridis cited the ability of narcotics groups to evolve and change their standard way of conducting business due to SOUTHCOM and other nations’

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<sup>179</sup> U.S. Department of Defense, *U.S. Southern Command 2008 Posture Statement, United States Southern Command*, Jim Stavridis, Admiral, U.S. Navy, Commander U.S. Southern Command (Washington, DC: 2008), 15.

<sup>180</sup> U.S. Department of Defense, *U.S. Southern Command 2008 Posture Statement*, 16.

<sup>181</sup> U.S. Department of Defense, *U.S. Southern Command 2008 Posture Statement*, 7.

counterdrug tactics.<sup>182</sup> Semi-submersible drug transports or the alteration of a drug trafficking route were just two examples of drug trafficker's adapting to ensure their organizations survival.<sup>183</sup>

Despite the similarities in the 2008 SOUTHCOM posture statement and those from General Craddock, there were two differences. First, the 2008 SOUTHCOM posture statement did not harp on the connection between narco-terrorists and drug funding like previous posture statements had done. The majority of connections between SOUTHCOM and terrorism rested with stopping terrorists from entering the U.S. to conduct a direct attack on America.<sup>184</sup> Drug traffickers and terrorists were two different problems. The second difference was that the 2008 SOUTHCOM posture statement was the first posture statement to recognize the necessity for alternative counterdrug policies. In regards to the national security threat that drugs have on America, Admiral Stavridis said, “There are legitimate needs on the ‘demand side’ as well as on the ‘interdiction and supply’ side.”<sup>185</sup> His acknowledgement of another alternative or method to winning the “War on Drugs” was unexpected. Rather than further heighten the importance of supply-side counterdrug policies in Latin America, he conceded that multiple approaches to counter drugs was the only way to lower the drug problem in America.<sup>186</sup> Admiral Stavridis’s recognition of alternative methods to aid in solving the drug problem in America went against the traditional view held by his predecessors; it also showed that he was willing to suggest alternative approaches even if it meant SOUTHCOM could play a lesser role in the “War on Drugs.”

## **G. 2009 POSTURE STATEMENT**

Admiral Stavridis also published the 2009 SOUTHCOM posture statement. Like the previous year’s posture statement, Admiral Stavridis put special emphasis on the

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<sup>182</sup> U.S. Department of Defense, *U.S. Southern Command 2008 Posture Statement*, 9.

<sup>183</sup> U.S. Department of Defense, *U.S. Southern Command 2008 Posture Statement*, 9–10.

<sup>184</sup> U.S. Department of Defense, *U.S. Southern Command 2008 Posture Statement*, 17–18.

<sup>185</sup> U.S. Department of Defense, *U.S. Southern Command 2008 Posture Statement*, 10.

<sup>186</sup> U.S. Department of Defense, *U.S. Southern Command 2008 Posture Statement*, 10–11.

importance of continued SOUTHCOM presence in the region, specifically the efforts in Colombia. The 2009 SOUTHCOM posture statement placed stopping drugs at the source as a top priority for regional stability and U.S. national security.<sup>187</sup> To prove that SOUTHCOM efforts were paying off in the “War on Drugs,” Admiral Stavridis noted the interdiction success through 2008, “of over 228 metric tons of cocaine.”<sup>188</sup> This seemingly high level of drugs interdicted and the emphasis on stopping drugs at the source demonstrated the importance that SOUTHCOM placed on supply-side drug policies in Latin America.

Unlike the 2008 SOUTHCOM posture statement, the 2009 posture statement did draw a connection between terrorists and funding from the illegal drug trade; groups that benefit from the drug trade had the financial ability to equip themselves in order to cause greater instability in Latin America as well as carry out violent attacks in America.<sup>189</sup> Admiral Stavridis highlighted three terrorist groups operating in the SOUTHCOM AOR that benefit from the drug trade; Shining Path in Peru, Hizballah in South America, and the FARC in Colombia.<sup>190</sup> These narco-terrorist groups threatened the already fragile peace in the Western Hemisphere. Although the 2009 SOUTHCOM posture statement focused on the importance of U.S. supply side focused drug policies in Latin America, Admiral Stavridis did mention demand-side drug policies again. In regards to significantly lowering the drug problem in the Western Hemisphere he said, “There is also a crucial demand-side effort that is continuing here in the U.S.”<sup>191</sup> These domestic efforts focused on education of youth and treatment to users.<sup>192</sup> The acknowledgement in this posture statement of the importance in attacking the U.S. drug problem via multiple approaches was uncommon since before Admiral Stavridis. Before, SOUTHCOM

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<sup>187</sup> U.S. Department of Defense, *U.S. Southern Command 2009 Posture Statement, United States Southern Command*, Jim Stavridis, Admiral, U.S. Navy, Commander U.S. Southern Command (Washington, DC: 2009), 12.

<sup>188</sup> U.S. Department of Defense, *U.S. Southern Command 2009 Posture Statement*, 2.

<sup>189</sup> U.S. Department of Defense, *U.S. Southern Command 2009 Posture Statement*, 10.

<sup>190</sup> U.S. Department of Defense, *U.S. Southern Command 2009 Posture Statement*, 11–12.

<sup>191</sup> U.S. Department of Defense, *U.S. Southern Command 2009 Posture Statement*, 11.

<sup>192</sup> U.S. Department of Defense, *U.S. Southern Command 2009 Posture Statement*, 11.

posture statements only focused on what the DOD did to win the “War on Drugs.” Why Admiral Stavridis mentioned both demand side and supply side policies in the 2009 posture statement is unknown; it is assumed that he believed a mixed approach was necessary to reduce the drug problem in America. Even though Admiral Stavridis mentioned alternative approaches to counter drugs, his posture statements still placed heavy importance on the necessity of the DOD throughout Latin America. Perhaps he felt that there was no longer a need to harp on the importance of supply-side drug policies in Latin America because there were plenty of other challenges facing the DOD in the SOUTHCOM AOR.

## **H. 2010 QDR**

By February of 2010 the leadership in the White House was strikingly different from its former resident. President Barack Obama differed from his predecessor, President George W. Bush, on a number of issues but despite their differences, President Obama chose to keep his predecessors’ Secretary of Defense in office. Robert M. Gates remained as Secretary of Defense because President Obama wanted a politician that worked well with all political parties as well as someone that would keep the DOD on its present course.<sup>193</sup> Although Secretary Gates took over the DOD in late 2006, the 2010 QDR was the first one that he would have final say over its formation.

Like the last two QDRs, the 2010 QDR also focused on terrorism, just not nearly as much as the 2001 and 2006. Instead, there was a newfound emphasis on improving the mental and physical health of America’s warfighters as well as improving the efficiency and productivity of the DOD.<sup>194</sup> With the net of DOD priorities widening toward internal issues, there was less mention of the DOD’s role in combating drugs than previously. Under the section entitled “Strengthening Relationships,” the QDR outlined the DOD’s role in assisting allies within the Western Hemisphere to combat narco-terrorism.<sup>195</sup>

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<sup>193</sup> Peter Baker and Thom Shanker, “Obama Plans to Retain Gates at Defense Department, *The New York Times*, November 25, 2008, [http://www.nytimes.com/2008/11/26/us/politics/26gates.html?\\_r=0](http://www.nytimes.com/2008/11/26/us/politics/26gates.html?_r=0).

<sup>194</sup> U.S. Department of Defense, *Quadrennial Defense Review Report* (Washington, DC: February, 2010), xi-xv.

<sup>195</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2010), 61.

What the 2010 QDR said about meeting this objective was intriguing. It said, “Our defense objectives within the Western Hemisphere do not require a robust forward presence. We will retain a limited presence...in pursuit of common hemispheric security goals.”<sup>196</sup> There was no direct mention of attacking drugs at the source through crop eradication or other typical supply-side tactics. The closest supply-side tactic was the mention that the DOD will conduct security operations such as interdiction to prevent illegal items from penetrating into sovereign U.S. territory.<sup>197</sup> Unlike the 2006 QDR, Plan Colombia is not mentioned directly in the 2010 QDR. Instead, under a subsection called “Build the Security Capacity of Partner States,” there is a brief mention of the DOD’s success in training the Colombian military to counter internal terrorist groups and bring more peace to their country.<sup>198</sup> Even with this brief mention of DOD successes in Colombia, there was no other place in the 2010 QDR that called for DOD employment in a specific Latin America country to counter the drug trade or narco-terrorism.

## **I. 2011 POSTURE STATEMENT**

Following Admiral Stavridis, General Douglas M. Fraser, United States Air Force, took over U.S. Southern Command. General Fraser began the 2011 SOUTHCOM posture statement by praising the efforts of SOUTHCOM and the U.S. partners in Latin America for the great progress that had been made in regional stability.<sup>199</sup> After praising the joint success in the SOUTHCOM AOR, General Fraser warned of the extreme danger posed to regional stability by traffickers that he defined as “Transnational Criminal Organizations (TCOs).”<sup>200</sup> The identification of drug traffickers as a type of TCO was interesting because throughout the remainder of the 2011 SOUTHCOM posture statement, the emphasis revolved around defeating TCOs not just drug traffickers. In

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<sup>196</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2010), 68.

<sup>197</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2010), 68.

<sup>198</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2010), 28.

<sup>199</sup> U.S. Department of Defense, *Posture Statement of General Douglas M. Fraser, United States Air Force Commander, United States Southern Command* (Washington, DC: March 30, 2011), 3–4.

<sup>200</sup> U.S. Department of Defense, *2011 Posture Statement of General Douglas M. Fraser*, 6.

previous SOUTHCOM posture statements, drug traffickers and narco-terrorist were identified as a separate issue rather than grouped in with other criminal organizations.

Evaluating supply side versus demand side counterdrug policies in the 2011 SOUTHCOM posture statement was difficult because the drug trade was categorized with other illicit operations carried out by TCOs. Although drug interdiction and crop eradication were referred to in a broader context, the 2011 SOUTHCOM posture statement did praise the success of Joint Interagency Task Force South (JIATF-SOUTH) and other SOUTHCOM assets for successful supply side illicit activity policies.<sup>201</sup> While these policies were applied to the broader context of illegal activities conducted by TCOs, they definitely include traditional supply-side counterdrug policies like interdiction and crop eradication. Additionally, under the umbrella of stopping illicit activity, the 2011 SOUTHCOM posture statement suggested demand reduction in conjunction with supply reduction and eradication.<sup>202</sup> It is inferred that the mention of demand-side policies deals deal with drugs but it also deals with other aspects of illicit activity in Latin America. The lack of clarity from the 2011 SOUTHCOM posture statement made it difficult to understand the counterdrug policies SOUTHCOM was supported in Latin America.

Narco-terrorism was only mentioned in the discussion of Colombia and the financial dependency that narco-terrorists have on the drug trade.<sup>203</sup> Like his predecessors, General Fraser highlighted the great progress that Colombia and the U.S. had made over the years in bringing stability to the country.<sup>204</sup> Surprisingly, rather than correlate success in Colombia with the tonnage of interdicted drugs or the acres of eradicated coca, the 2011 SOUTHCOM posture statement defined success in terms of the number of armed fighters that quit and the territory that the government of Colombia reclaimed.<sup>205</sup> This shift in how SOUTHCOM measured success in Colombia was interesting since success seemed to be quantified more on the elimination of insurgents

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<sup>201</sup> U.S. Department of Defense, *2011 Posture Statement of General Douglas M. Fraser*, 10.

<sup>202</sup> U.S. Department of Defense, *2011 Posture Statement of General Douglas M. Fraser*, 10.

<sup>203</sup> U.S. Department of Defense, *2011 Posture Statement of General Douglas M. Fraser*, 12.

<sup>204</sup> U.S. Department of Defense, *2011 Posture Statement of General Douglas M. Fraser*, 12.

<sup>205</sup> U.S. Department of Defense, *2011 Posture Statement of General Douglas M. Fraser*, 12.

rather than the elimination of drugs. Regardless of how success was defined, General Fraser did call for continued support for SOUTHCOM operations in Colombia; he said, “As noted in the 2010 National Drug Control Strategy, while Colombia’s gains have been impressive, they are reversible.”<sup>206</sup> This posture statement did not address SOUTHCOM’s challenges clearly, but it did argue for the necessity of DOD operation in the SOUTHCOM AOR.

#### **J. 2012 POSTURE STATEMENT**

General Fraser’s 2012 SOUTHCOM posture statement contained many more details on narco-terrorism in the SOUTHCOM AOR as well as SOUTHCOM’s role in fighting the war on drugs than the 2011 SOUTHCOM posture statement. Like Admiral Stavridis’s 2009 SOUTHCOM posture statement, General Fraser highlighted the terrorist group, the FARC in Colombia, and the terrorist group, the Shining Path in Peru, for their dependency on drug money to fund their organizations.<sup>207</sup> Another danger of narco-terrorists identified was that in many cases they could outspend the government; financially, their drug money provided much more capital to use for equipment and logistics than many of the impoverished countries in Latin America.<sup>208</sup> General Fraser emphasized the importance of continued SOUTHCOM support to Colombia and Peru in order to defeat narco-terrorism and bring peace to the region.<sup>209</sup> Without continued SOUTHCOM support to counter narco-terrorist networks, countries could regress to old levels of violence and instability.

To illustrate the expansive role that SOUTHCOM played in fighting the “War on Drugs,” General Fraser emphasized interdiction efforts as well as military training provided to partner nations.<sup>210</sup> SOUTHCOM’s military training included maritime and

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<sup>206</sup> U.S. Department of Defense, *2011 Posture Statement of General Douglas M. Fraser*, 13.

<sup>207</sup> U.S. Department of Defense, *Posture Statement of General Douglas M. Fraser, United States Air Force Commander, United States Southern Command* (Washington, DC: March 6, 2012), 7.

<sup>208</sup> U.S. Department of Defense, *2012 Posture Statement of General Douglas M. Fraser*, 7–8.

<sup>209</sup> U.S. Department of Defense, *2012 Posture Statement of General Douglas M. Fraser*, 17.

<sup>210</sup> U.S. Department of Defense, *2012 Posture Statement of General Douglas M. Fraser*, 15–16.

aerial surveillance as well as “target counter-narcotics training.”<sup>211</sup> The importance of training partner nations was that it lightened the personnel demands of U.S. assets and it allowed for easier coordination during joint operations. General Fraser referenced the joint interdiction operation called OPERATION MARTILLO that encompassed SOUTHCOM assets and partner nations in Latin America to share intelligence, work together, and stop the flow of illicit goods.<sup>212</sup> The 2012 SOUTHCOM posture statement described the importance of SOUTHCOM operations toward achieving regional and national security much more effectively than the 2011 posture statement. Information regarding narco-terrorists groups and the threats they possessed as well as the detailed information about DOD operations in the region reinvigorated the necessity of SOUTHCOM over previous years’ posture statements.

## **K. 2013 POSTURE STATEMENT**

General Kelly, United States Marine Corps, replaced General Fraser as Commander of U.S. Southern Command. The 2013 SOUTHCOM posture statement focused not on the great progress that had been made over the past fifty years in the SOUTHCOM AOR but rather the extreme risk of relapse that Latin America faced due to U.S. funding restrictions.<sup>213</sup> General Kelly mentioned the success of SOUTHCOM counterdrug operations and the damaging effect it had on TCOs; in regards to interdiction he said, “the 152 metric tons of cocaine seized to date represents over three billion dollars in revenue that will *not* go to fund powerful criminal groups.”<sup>214</sup> Despite these successes, without proper funding to SOUTHCOM caused by sequestration, General Kelly warned that interdiction and assistance to partner nations in Latin America would not be realistic.<sup>215</sup>

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<sup>211</sup> U.S. Department of Defense, *2012 Posture Statement of General Douglas M. Fraser*, 15–16.

<sup>212</sup> U.S. Department of Defense, *2012 Posture Statement of General Douglas M. Fraser*, 23–24.

<sup>213</sup> U.S. Department of Defense, *Posture Statement of General John F. Kelly, United States Marine Corps Commander, United States Southern Command* (Washington, DC: March 19, 2013), 3–4.

<sup>214</sup> U.S. Department of Defense, *2013 Posture Statement of General John F. Kelly*, 5.

<sup>215</sup> U.S. Department of Defense, *2013 Posture Statement of General John F. Kelly*, 5.

The 2013 SOUTHCOM posture statement summarized the implications of inadequate supply-side counterdrug policies below:

Sequestration cuts will only intensify this challenge, potentially allowing hundreds of tons of cocaine and other illicit products to flood into our cities. Likely second and third order effects include an increase in supply and purity and a decrease in cost of cocaine in the United States, undermining the significant progress that has been made in U.S. demand reduction.<sup>216</sup>

This portion of the posture statement was important because it categorized the relationship between supply-side drug policies and demand-side drug policies as symbiotic. Demand-side policies cannot work if the market is saturated with drugs caused by the lack of interdiction; and, supply-side policies are not effective enough on their own to win the “War on Drugs.” This section resembled some of the congressional testimonies that called for a multi-axis approach to handle drugs in the Western Hemisphere.

Consistent with the 2012 SOUTHCOM posture statement, General Kelly, like his predecessor, also mentioned the importance of destroying the financial base of narco-terrorism. By crushing the source of funding for narco-terrorists like the FARC or Shining Path, SOUTHCOM and the host governments had a better chance of preventing narco-terrorist organizations from succeeding.<sup>217</sup> Despite financial concerns caused by sequestration, the 2013 SOUTHCOM posture statement fully endorsed the role that SOUTHCOM played in supply-side counterdrug policies. Interdiction, cooperation between nations, and foreign military training were the essential ways identified to continue progress in stabilizing the SOUTHCOM AOR.<sup>218</sup>

## **L. 2014 QDR**

The 2014 QDR was written during a time of significant economic uncertainty; unlike previous years where funding for the DOD was plentiful, the DOD now needed to

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<sup>216</sup> U.S. Department of Defense, *2013 Posture Statement of General John F. Kelly*, 6.

<sup>217</sup> U.S. Department of Defense, *2013 Posture Statement of General John F. Kelly*, 13–14.

<sup>218</sup> U.S. Department of Defense, *2013 Posture Statement of General John F. Kelly*, 18–20.

ensure funding was not wasted. With this uncertainty, the DOD established three broad priorities: “Protect the homeland,” “Build security globally,” and “Project power and win decisively.”<sup>219</sup> The second priority, “Build security globally” was where the QDR, under the direction of Secretary of Defense Chuck Hagel, identified the DOD’s role in countering drugs. Under the umbrella of both drug trafficking and transnational crime, the 2014 QDR defined the DOD’s role as one of assistance toward our partners in the Western Hemisphere.<sup>220</sup> The 2014 QDR did not specify how the U.S. would carry out this role. This was a very vague approach toward countering drugs and did not possess the traditional tenets of supply-side counterdrug policy in Latin America. It can be inferred from the lack of detail over how the DOD would counter drugs in Latin America that the DOD identified better uses for its time and money than spending more resources on countering drugs in Latin America.

The other and final mention of drugs in the Western Hemisphere was only to reinforce that traditional conflict between states was gone and instead non-state actors like drug organizations posed the greatest threat.<sup>221</sup> No specific U.S. policy to counter drugs in Latin America was mentioned. Additionally, no country such as Colombia or Peru was mentioned as a drug producing country and therefore a threat to U.S. national security. The 2014 QDR did not attempt to heighten the importance of the DOD in combatting narcotics or narco-terrorism in Latin America.

## **M. 2014 POSTURE STATEMENT**

General Kelly’s second posture statement as Commander of SOUTHCOM also revolved around the dangers posed to progress in the SOUTHCOM AOR because of funding restrictions. In regards to funding, he correctly identified SOUTHCOM as the “...lowest priority Geographic Combatant Command.”<sup>222</sup> Even though SOUTHCOM

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<sup>219</sup> U.S. Department of Defense, *Quadrennial Defense Review 2014* (Washington, DC: March 4, 2014), iv-v.

<sup>220</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2014), 36.

<sup>221</sup> U.S. Department of Defense, *Report of the Quadrennial Defense Review* (2014), 6.

<sup>222</sup> U.S. Department of Defense, *Posture Statement of General John F. Kelly, United States Marine Corps Commander, United States Southern Command* (Washington, DC: February 26, 2014), 3.

was not seen as a funding priority, the 2014 SOUTHCOM posture statement still argued for increased support in order to properly accomplish the mission objectives. General Kelly identified drug trafficking, as the top security challenge for the SOUTHCOM AOR.<sup>223</sup> Specifically cocaine was the primary concern because it only originated from the Andes, and provided funding for terrorists groups as well as TCOs.<sup>224</sup> Since this significant source of instability was located in the SOUTHCOM AOR, SOUTHCOM required increased funding to properly lower the supply levels of cocaine in America.

General Kelly tried to convey in the posture statement that failure to stop drug trafficking in Latin America had significant ramifications on regional stability and U.S. national security. Narco-terrorists and TCOs benefited greatly from a decreased U.S. presence in the region; as long as a lack of SOUTHCOM funding prevented them from carrying out supply-side counterdrug tactics, the TCOs and narco-terrorists would continue to thrive.<sup>225</sup> The lasting impression of the 2014 SOUTHCOM posture statement was bleak. Years of what many defined as “progress” in the SOUTHCOM AOR seemed to be rapidly deteriorating. General Kelly’s posture statement unequivocally showed that SOUTHCOM would not succeed unless there is a quick restoration of necessary funding. There was no mention of demand-side counterdrug tactics in the 2014 SOUTHCOM posture statement; instead, it resembled the more traditional SOUTHCOM posture statements that focused on supply-side tactics.

## N. CONCLUSION

SOUTHCOM posture statements and the QDR’s show that illegal drugs coming from Latin America threatened U.S. national security. Over time the documents evolve to reflect the link between drugs and terrorist organizations. Prior to September 11, 2001, the U.S. did not directly support the Colombian government with its counterinsurgency campaign, funding to Colombia was strictly for counter drugs purposes. That changed after the September 11 terrorist attacks; almost immediately, the correlation between the

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<sup>223</sup> U.S. Department of Defense, *2014 Posture Statement of General John F. Kelly*, 6.

<sup>224</sup> U.S. Department of Defense, *2014 Posture Statement of General John F. Kelly*, 5–7.

<sup>225</sup> U.S. Department of Defense, *2014 Posture Statement of General John F. Kelly*, 32–33.

FARC and other insurgencies in Colombia was that the illegal drug trade funded these terrorist organization.<sup>226</sup> The new classification of narco-terrorist resulted in increased U.S. attention on insurgent groups that threatened the stability of Latin America.

Both the QDR's and the SOUTHCOM posture statements were repetitive and consistently pointed out that while progress had been made in the "War on Drugs" there was a risk of regression unless continual pressure was applied. Even though some of the SOUTHCOM commanders like Admiral Stavridis and General Kelly argued that stopping the drug problem in America meant using both supply side and demand side tactics, all commanders agreed that the DOD needed to carry out supply-side counterdrug policies in Latin America. The SOUTHCOM posture statements illustrated the military commanders prerogative to categorize drugs as a threat toward U.S. national security. The DOD's continued involvement in the "War on Drugs" might be perceived as an attempt to prove organizational necessity and therefore attract more funding.

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<sup>226</sup> Isacson, "U.S. Military," 49–50.

## V. CONCLUSION

This thesis identified two main factors that contribute to the perpetuation of failed U.S. counterdrug policies in Latin America. Congressional testimonies highlighted the loyalty bond among members of Congress and the President in office as it pertained to their political party. Specifically, political party politics mattered more to members of Congress than the actual policy itself. When the White House was led by a democrat, democrats in Congress supported the Presidents view on combatting drugs in America while the republicans disagreed with it; when the White House was led by a republican, republicans in Congress supported the Presidents view on combatting drugs in America while the democrats disagreed with it. This either intentional or unintentional preference to align with the leadership of a political party meant that most politicians were more concerned with the success and longevity of their political party than offering support for effective U.S. counterdrug policies in Latin America. While not every politician was a strict supporter of the counterdrug policies if their political party was in the White House, the rhetoric was tame in comparison to members of the opposite political party.

The second factor that added to the perpetuation of failed U.S. counterdrug policies in Latin America came from the leadership of the U.S. military. By examining both the Quadrennial Defense Reviews as well as the SOUTHCOM posture statements, the emphasis placed on militarized tactics and strategies of supply-side counterdrug policies in Latin America became apparent. The top echelon of the Department of Defense identified an increased role for the military in countering drugs from Latin America as being essential for U.S. national security. By linking the U.S. military to counterdrug policies in Latin America, the Department of Defense was seeking to increase funding for the services and ultimately working towards institutional survivability. This shift was most evident following the September 11th, 2001 terrorist attacks on America. The published guiding documents drew a direct link between terrorists and funding provided by the drug trade; the narco-terrorists' in the SOUTHCOM AOR were catapulted into new importance.

Understanding what alternative options are available for drug policies is a prerequisite for shifting the way American foreign policy makers approach U.S. drug policies in Latin America. Simply put, the counterdrug policies should focus primarily on demand-side reductions. This means significantly minimizing the funding dedicated towards supply-side policies and significantly increasing the funding of demand-side policies. Below are a number of demand-side tactics that are currently used at the state level in America as well as by some allied countries. These tactics are excellent examples of how demand-side counterdrug policies are less expensive and often produce much better results than supply-side counterdrug policies. Moreover, these demand-side tactics do not cause massive corruption of society, nor do these tactics lead to more drug users than before.

#### **A. THE COST OF INCARCERATION**

Before covering examples of demand-side tactics that are successful, understanding the high cost of incarceration is necessary. In 2010, over fifty percent of all sentenced prisoners under federal jurisdiction were incarcerated for drug related crimes.<sup>227</sup> The high number of drug related incarcerations is connected to the mandatory minimum sentences established by Congress in the late 1980's.<sup>228</sup> By the early 1990's the U.S. Sentencing Commission articulated the goals of mandatory minimum sentences. The commission established the following primary objectives: "1. Retribution or 'just deserts.' 2. Deterrence. 3. Incapacitation, especially of the serious offender. 4. Elimination of sentencing disparity. 5. Inducement of cooperation. 6. Inducement of pleas."<sup>229</sup> Mandatory minimum sentences may seem like a reasonable idea on paper, but what is the cost of enforcing these standards?

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<sup>227</sup> E. Ann Carson, Ph.D. and William J. Sabol, Ph.D., "Prisoners in 2011," Bureau of Justice Statistics, U.S. Department of Justice, last modified December 2012, <http://bjs.gov/content/pub/pdf/p11.pdf>.

<sup>228</sup> Jonathan P. Caulkins et al., *Mandatory Minimum Drug Sentences: Throwing Away the Key or the Taxpayers' Money?*, (Santa Monica: Rand, 1997), 9–10.

<sup>229</sup> Caulkins et al., *Mandatory Minimum Drug Sentences*, 12.

In May of 2015, the Office of the Inspector General for the U.S. Department of Justice released a report entitled, “The Impact of an Aging Inmate Population on the Federal Bureau of Prisons.”<sup>230</sup> This report covers the high costs associated with incarceration, specifically, for the aging population of prisoners. The annual cost to incarcerate a convicted criminal in a federal prison is between \$20,000–\$30,000 per year.<sup>231</sup> Some state prisons like those in California report that the cost can be much higher, even as high as \$47,000 per year.<sup>232</sup> While both of these costs are high, the report over the cost of aging inmate populations is important because it shows the financial impact of older inmates on the Bureau of Prison’s (BOP) budget. The report explains the high level of aging inmates by citing the .”..sentencing reforms beginning in the late 1980s, including the elimination of federal parole and the introduction of mandatory minimums and determinate sentences.”<sup>233</sup> Not all individuals that served time in prison for drug related offenses were sufficiently convinced by their incarceration to abstain from drug related activity upon release. In fact, “58 percent of aging inmates who were re-arrested for drug offenses...were previously incarcerated for similar crimes.”<sup>234</sup> Incarcerating individuals for drug related crimes to align with minimum sentences requirements have a significant economic cost and does not proper rehabilitate them to return to society. The potential economic cost for incarceration is examined below.

When comparing the financial cost of attacking the supply side of the drug trade through eradication, interdiction, and mandatory minimum sentences versus the cost of treating drug addicts, the necessity to switch to treatment over punishment is painstakingly obvious. As previously mentioned, the annual cost to incarcerate a drug related offender is between \$20,000–\$47,000. Conversely, the cost to treat a heavy drug

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<sup>230</sup> U.S. Department of Justice, *The Impact of an Aging Inmate Population on the Federal Bureau of Prisons*, (Washington, DC: Office of the Inspector General, May 2015), 1.

<sup>231</sup> U.S. Department of Justice, “Aging Inmate Population,” 10.

<sup>232</sup> ‘How Much Does It Cost to Incarcerate an Inmate?’, Legislative Analyst’s Office, The California Legislature’s Nonpartisan Fiscal and Policy Advisor, date accessed October 25, 2015, [http://www.lao.ca.gov/PolicyAreas/CJ/6\\_cj\\_inmatecost](http://www.lao.ca.gov/PolicyAreas/CJ/6_cj_inmatecost).

<sup>233</sup> U.S. Department of Justice, “Aging Inmate Population,” 3.

<sup>234</sup> U.S. Department of Justice, “Aging Inmate Population,” 41.

user is \$1,740.<sup>235</sup> Even if it only costs \$20,000 to incarcerate one individual, out of \$1 million of a drug-related budget only 50 people will be covered; compared to the 570 people covered through treatment with the same \$1 million. Additionally, those 570 people that receive treatment have a lower risk of being re-arrested for the same type of crime, that lowers the cost of incarceration or at least the likelihood of high levels of incarceration even more over time.

When talking about the high levels of incarceration in the U.S., the American Civil Liberties Union (ACLU) referenced a 2010 Congressional Research Service report that said, “With only 5% of the world’s population, the U.S. has 25% of the world’s prison population.”<sup>236</sup> Controlling one quarter of the world’s prison population shows that the strict nature of sentencing, specifically drug related minimum sentencing has not only a financial toll on America but also a personal toll. With so many people incarcerated for crimes, the stability of life at home can be placed in jeopardy. Since there are also high levels of recurring criminal activity after release from prison, the present system does not adequately address the problem. Failure to adjust current drug policies and rewrite laws about minimum prison sentences will continue to be a financial drain on both government budgets and familial stability.

## **B. DECRIMINALIZATION**

The previous section over the cost of incarceration illustrates the high economic and personal cost associated with strict anti drug laws. Policymakers in Washington should understand the options available for drug decriminalization and adjust the policy accordingly. By decriminalizing drug use, the penalty of jail time for using drugs is eliminated. In Bruce Michael Bagley’s portion of *The Latin American Narcotics Trade and U.S. National Security* he explains supporters of decriminalization’s’ view on drugs as .”..the best way to curtail drug trafficking is to treat drugs as a public health problem

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<sup>235</sup> Caulkins et al., *Mandatory Minimum Drug Sentences*, 48.

<sup>236</sup> Matt Sledge, “The Drug War and Mass Incarceration by the Numbers,” *The Huffington Post*, April 8th, 2013, [http://www.huffingtonpost.com/2013/04/08/drug-war-mass-incarceration\\_n\\_3034310.html](http://www.huffingtonpost.com/2013/04/08/drug-war-mass-incarceration_n_3034310.html).

rather than a criminal one.”<sup>237</sup> If counterdrug policies focus on treatment and don’t rely on simply locking people away in prison hoping they get better, other areas associated with drug related crimes will diminish. Criminals involved in the drug trade are financed by people’s addiction; by decriminalizing drug use, those organizations will lose a substantial amount of their funding.<sup>238</sup>

The best example today of drug decriminalization is Portugal. Since 2001 Portugal’s drug policy has focused on decriminalization. Although the fear in Portugal was that decriminalization would lead to more drug use and greater instability, the past decade has proven that this fear was unwarranted.<sup>239</sup> Instead, a report published by The CATO Institute showed that Portugal’s decriminalization of drug possession and drug use led to a reduction in drug use rather than an increase as well as reductions in personal health related injuries.<sup>240</sup> Examples of personal health related injuries caused by drug use are drug-related deaths and diseases transmitted through dirty needles such as AIDS.<sup>241</sup> The numbers associated with these changes are impressive, “New HIV infections in drug users fell by 17% between 1999 and 2003, and deaths related to heroine and similar drugs were cut by more than half.”<sup>242</sup> In Portugal, drug abusers know that they may face a fine for illegal drug use, but they will not go to jail; the elimination of incarceration and the financial fee associated with illegal drug use makes state sponsored drug abuse treatment programs more attractive.<sup>243</sup> The success of this drug policy shift in Portugal demonstrates that the fear of anarchy often associated with drug decriminalization is unwarranted; instead, this demand-side counterdrug tactic produced more positive results

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<sup>237</sup> Bruce Michael Bagley, “The New Hundred Years War?: U.S. National Security and the War on Drugs in Latin America,” in *The Latin American Narcotics Trade and U.S. National Security*, ed. Donald J. Mabry, (New York: Greenwood Press, 1989), 54.

<sup>238</sup> Donald J. Mabry and Raphael Perl, “Concluding Observations and Policy Recommendations in *The Latin American Narcotics Trade and U.S. National Security*, ed. Donald J. Mabry, (New York: Greenwood Press, 1989), 157–158.

<sup>239</sup> Maria Szalavitz, “Drugs in Portugal: Did Decriminalization Work?,” *Time*, April 26, 2009, <http://content.time.com/time/health/article/0,8599,1893946,00.html>.

<sup>240</sup> Glenn Greenwood, “Drug Decriminalization in Portugal: Lessons for Creating Fair and Successful Drug Policies,” (Washington, DC: CATO Institute, 2009) 1.

<sup>241</sup> Greenwood, “Drug Decriminalization in Portugal,” 17.

<sup>242</sup> Szalavitz, “Drugs in Portugal.”

<sup>243</sup> Greenwood, “Drug Decriminalization in Portugal,” 28.

than supply-side counterdrug tactics have over the past few decades. In addition to fewer new HIV cases and drug related deaths in Portugal since decriminalization, the overall drug use in Portugal is lower than the average of other European Union countries.<sup>244</sup> Despite having the toughest stance on illegal drug use, the U.S. boasts the highest number of illegal drug use in the world; 16.2% of Americans have tried cocaine at least once, compared to 4.3% of people in New Zealand, the next closest country.<sup>245</sup> Simply keeping criminal penalties severe for illegal drug use does not work to deter people from using drugs. If it did work, the U.S. would not lead the world in illegal drug consumption.

### C. LEGALIZATION

The legalization of drugs does not mean to imply that all drugs available in the world can be legally used; instead, only a select number of drugs would be legalized. Legalization is similar to decriminalization and they are often referred to almost interchangeably. When drugs are legalized there is greater monitoring over what goes in the drug, how strong the drug is, and making sure the drug is administered in a sanitary manner; also, drug users would not have to worry about incarceration if they were to seek treatment.<sup>246</sup> Some other benefits of drug legalization include decreased violence associated with the drug trade as well as increased tax revenue from the taxation of drugs.<sup>247</sup> The most important part of drug legalization for policy makers to consider is that if they choose to legalize drugs, they can choose which specific drugs to legalize and under what conditions it is legal to use certain drugs.

There are a number of states in the U.S. and one country, Uruguay, which have legalized marijuana. Uruguay became the first nation to legalize cannabis in 2013.<sup>248</sup> In

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<sup>244</sup> Greenwood, “Drug Decriminalization in Portugal,” 22.

<sup>245</sup> Greenwood, “Drug Decriminalization in Portugal,” 24.

<sup>246</sup> James Ostrowski, “Cato Institute Policy Analysis No. 121: Thinking about Drug Legalization,” Cato Institute, May 25, 1989, <http://object.cato.org/sites/cato.org/files/pubs/pdf/pa121.pdf>.

<sup>247</sup> Benjamin Powell, “The Economics Behind the U.S. Government’s Unwinnable War on Drugs,” Library of Economics and Liberty, last modified July 1, 2013, <http://www.econlib.org/library/Columns/y2013/Powelldrugs.html>.

<sup>248</sup> Elijah Stevens, “Uruguay Marijuana Reform Sees Progress, But Challenges Remain,” *Insight Crime*, November 2, 2015, <http://www.insightcrime.org/news-briefs/continued-challenges-as-uruguay-seeks-legal-marijuana-sales>.

America, four states plus the nations capital have all legalized marijuana for recreational use.<sup>249</sup> Despite legalization of marijuana, the states have not imploded from total anarchy. In Colorado for example, crime dropped since the legalization of marijuana.<sup>250</sup> There is also more money for the state government from marijuana taxation. In less than six months of legalization the Colorado government received \$15.3 million from marijuana taxation.<sup>251</sup> Legalizing marijuana has not led to increased levels of violence; instead it has reduced the amount of hours spent arresting and prosecuting marijuana users as well as provided a new source of income for the state governments. This means the state has more resources to now provide better services to its people. Current U.S. supply-side counterdrug policies in Latin America focus an abundance of personnel hours and financial resources on interdicting marijuana.

Legalization of marijuana is still in its infancy and there is not substantial literature about the long-term impacts of legalization. However, with evidence in America showing that legalization of marijuana has not degraded society and in some aspects such as tax revenue and potentially lower levels of crime enhanced the states, U.S. policy makers should consider legalizing marijuana under tight supervision. Too often people associate legalizing drugs with a broad sweeping approach that would allow all drugs to be used legally. Legalization, if done correctly like in the select few American states, could provide more good results than bad results to society.

#### **D. NEEDLE EXCHANGE PROGRAM**

The importance of needle exchange programs cannot be overstated. By providing drug abusers with clean needles the government is attempting to curb the spread of

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<sup>249</sup> Sam Stebbins, Thomas C. Frohlich, and Michael B Sauter, “The Next 11 States to Legalize Marijuana,” *USA Today*, August 19, 2015, <http://www.usatoday.com/story/money/business/2015/08/18/24-7-wall-st-marijuana/31834875/>.

<sup>250</sup> Jacob Sullum, “How Is Marijuana Legalization Going? The Price of Pot Peace Looks Like a Bargain,” *Forbes*, July 10, 2014, <http://www.forbes.com/sites/jacobsullum/2014/07/10/how-is-marijuana-legalization-going-so-far-the-price-of-pot-peace-looks-like-a-bargain/>.

<sup>251</sup> Jacob Sullum, “How is Marijuana Legalization Going? The Price of Pot Peace Looks Like a Bargain,” *Forbes*, July 10, 2014, <http://www.forbes.com/sites/jacobsullum/2014/07/10/how-is-marijuana-legalization-going-so-far-the-price-of-pot-peace-looks-like-a-bargain/2/>.

diseases passed through needles. In Poland, “75% to 85% of users are HIV positive.”<sup>252</sup> To counter the high level of drug related HIV transmissions, the Polish government established both needle exchange programs and new treatment facilities to rehabilitate drug abusers.<sup>253</sup> Other countries in Europe also promote needle exchange or a safe zone for using drugs. In Switzerland, public health workers monitor the safe zones.<sup>254</sup> This state involvement and the absence of criminal penalty encourage users to exchange needles as well as receive medical treatment if needed. The New York State Department of Health AIDS Institute released a report in 2014 citing a significant drop in the number of needle related new HIV cases; this success came from needle exchange program established back in 1992.<sup>255</sup>

Despite many governments moving towards successful needle exchange programs, critics often still believe that these programs only encourage greater use. Apart from saving a person’s life, needle exchange programs are also economically beneficial. The relatively low financial cost of needle exchange is overshadowed by the high financial cost of treating someone with HIV. After contracting HIV, the cost of treatment is almost half a million U.S. dollars.<sup>256</sup> By minimizing the spread of HIV through dirty needles governments are not only reducing the number of national HIV cases but they are also spending less money than they would for state medical coverage.

## **E. RECOMMENDATION**

In order for the U.S. to solve its continuously growing drug addiction problem drug policy must firmly shift from supply-side counterdrug tactics to demand-side counterdrug tactics. Policymakers must find the correct balance between

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<sup>252</sup> Caterina Gouvis Roman, Heather Ahn-Redding, and Rita J. Simon, *Illicit Drug Policies, Trafficking, and Use the World Over* (Boulder: Lexington Books, 2005), 135.

<sup>253</sup> Roman, Ahn-Redding, and Simon, *Illicit Drug Policies*, 135.

<sup>254</sup> Robert J. MacCoun and Peter Reuter, *Drug War Heresies: Learning from Other Vices, Times, & Places* (New York: Cambridge University Press, 2001), 268–269.

<sup>255</sup> “Comprehensive Harm Reduction Reverses the Trend in New HIV Infections,” New York State Department of Health AIDS Institute, 2014, [http://www.health.ny.gov/diseases/aids/providers/reports/docs/sep\\_report.pdf](http://www.health.ny.gov/diseases/aids/providers/reports/docs/sep_report.pdf), 1.

<sup>256</sup> “Comprehensive Harm Reduction Reverses,” 2.

decriminalization, treatment, and legalization. Additionally, economic resources need to focus on drug education at the youngest level starting in elementary schools and remaining through high schools. By reducing the demand for drugs domestically, there will be less financial resources for drug cartels throughout the world.

Countries in Europe as well as states in America that have moved from just focusing on the supply side of the drug problem have already started to see results. It is possible for the government to properly monitor and regulate drug use and sales. Policy makers in Washington must abandon supply-side counterdrug tactics in Latin America and move to demand-side counterdrug tactics that address the human portion of drug addiction. As Fernando Henrique Cardoso, the former president of Brazil said, “Let’s start by treating drug addiction as a health issue- rather than as a crime.”<sup>257</sup>

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<sup>257</sup> “New Report: World Leaders Call For Ending Criminalization of Drug Use and Possession and Responsible Legal Regulation of Psychoactive Substances,” Global Commission on Drug Policy, accessed November 3, 2015, <http://www.globalcommissionondrugs.org/new-report-world-leaders-call-for-ending-criminalization-of-drug-use-and-possession-and-responsible-legal-regulation-of-psychactive-substances-2/>.

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